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*Philip P. Spence.*

# LAWS OF BARBADOS

*Jan 13*

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FOR

SESSION OF 1881-'82.



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BARBADOS.

BARCLAY & FRASER, PRINTERS TO THE LEGISLATURE.

1882.



all acts repealed during session 1881-'82 have  
been marked -

12 p.p.  
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# A TABLE OF ACTS.

*Peter P. Spencer.*

PASSED IN SESSION OF 1881-'82.

PAGE.

1. An Act to repeal the Appropriation Act (No. 1.) 1881, and to grant a sum of money out of the Public Treasury, and to appropriate the same for the services of the year ending the 31st day of December one thousand eight hundred and eighty one, (10th May, 1881)..... 1
2. An Act to enable the Colony to enter the International Postal Union, (10th May, 1881.)..... 16
3. An Act to assist persons under certain conditions to emigrate to the neighbouring colonies. (15th June 1881)..... 17
4. An Act to amend the Act of the eighteenth day of April one thousand eight hundred and fifty three, entitled, "An Act to consolidate and amend the Laws relating to the care and maintenance of Lunatics," by reducing the expenses attendant on the holding of Boards of Lunacy. (15th June, 1881.) 18
5. An Act for securing to Monsieur Marie Jean Leon Marie, of Saint Pierre, in the Island of Martinique, the exclusive benefit for a limited time of his invention for improvements in furnaces for burning cane trash, shavings or other fuel, (15th June, 1881.)..... 19
6. An Act to grant certain sums of money for Educational purposes in addition to the sums granted in accordance with the provisions of the Education Act, 1878, (6th July, 1881.)..... 22
7. An Act to grant a sum of money to the Vestry of the parish of Saint Thomas, (27th July, 1881.)..... 26

8. An Act to grant a sum of money to Rebecca Jane Da Rocha, the widow of the late Charles Frederick Augustus Da Rocha, (27th July, 1881.)..... 27
9. An Act to amend the "Petty Debt Acts of 1869 and 1870," and "The Debtors Act, 1879." (23rd August, 1881) 28
10. An Act to secure to Edward Hunt, of Salford in the County of Lancaster in England, Analytical Chemist, the exclusive benefit for a limited time of an invention of the said Edward Hunt, for improvements in Sugar Refining, (24th August, 1881.)..... 33
11. An Act to authorize the Governor in Executive Committee to raise a loan for the purposes of various public works in this Colony, (27th August, 1881.) 36
12. An Act to repeal an Act of this Island of the ninth day of July one thousand eight hundred and sixty seven, entitled, "An Act to encourage the destroying of rats in this Island." (27th August, 1881.)..... 43
13. An Act to amend the law with respect to the sale of goods and chattels distrained on, and of effects arising out of levies made by virtue of executions issuing from the Police Magistrates, Judges of the Petty Debt Courts, and Judges of the Assistant Court of Appeal, (31st August, 1881,)..... 43
14. An Act to authorize the Vestry of the parish of Saint Philip in this Island, to sell certain lands in the said parish, called "Crowthers Land," and to borrow a sum of money, and with the money obtained thereby respectively, to make additions and improvements to the Almshouse in the said parish (18th October, 1881.)..... 50

15. An Act to continue various expiring Laws,  
(24th December, 1881.)..... 59
16. An Act to authorize the Vestry of the  
parish of Saint Andrew in this Is-  
land to raise a loan to enable them to  
provide two houses for Curates in the  
said parish, (24th December, 1881)... 62
17. An Act to make certain re-arrangements  
in the staff of the Customs Establish-  
ment, (24th December, 1881.)... .. 68
18. An Act to exempt Officers of Her Majesty's  
Army and Navy and certain other per-  
sons in Her Majesty's service, from the  
payment of parochial and highway taxes  
(2nd January, 1882.)..... 70
19. An Act to vest the residence of the Bishop  
of the Anglican Church in this Island,  
commonly called "Bishop's Court," in  
the Executive Committee, and to provide  
for the repairs thereof, (27th January,  
1882) ..... 71
20. An Act entitled An Act to grant an addi-  
tional sum of money out of the Public  
Treasury, and to appropriate the same for  
the service of the year ending the thirty-  
first day of December one thousand eight  
hundred and eighty one, (3rd February,  
1882.) ..... 73
21. An Act entitled An Act to grant a sum  
of money out of the Public Treasury and  
to appropriate the same for the service  
of the year ending the thirty-first day of  
December one thousand eight hundred  
and eighty two, (3rd February 1882.) 75
22. An Act to further declare what proofs and  
authentications to deeds, wills, and  
other writings proved and authenticated  
in the United Kingdom of Great Britain  
and Ireland, shall be sufficient evidence  
in the Courts of this Island of their due  
execution and authentication, (23rd Fe-  
bruary, 1882.) ..... 86

23. An Act to allay the apprehensions of holders of securities over sugar plantations in this Island, to restore confidence in such securities and to prevent vexatious and expensive suits in relation thereto, (28th February, 1882.)..... 87
24. An Act entitled An Act to provide for the repair and maintenance of the High ways of the City of Bridgetown and of the rural portion of the parish of Saint Michael (3rd March, 1882.) ..... 93
25. An Act to enable the Highway Commissioners of the parish of Saint John to pay an annual pension to John Henry Antrobus, from the Road Funds of the said parish, (10th March, 1882.)..... 99
26. An Act to authorise the Vestry of the Parish of Saint George in this Island to sell two pieces of land in the parish, and to levy a tax in the parish, and with the money obtained thereby respectively to erect an almshouse on a part of the Glebe land in the parish for the use of the parish, (10th March, 1882.)..... 100
27. An Act to authorise the Vestry of the Parish of Saint Joseph in this Island, to raise a loan to enable them to complete the repair and improvement to the Church of the said parish, (22nd March, 1882.)..... 108
28. An Act entitled An Act to amend and consolidate the law relating to the appointment and duties of weighers and gaugers, (24th March, 1882.)..... 116
29. An Act to authorise the Governing Body of Harrison College to borrow a sum not exceeding eight hundred pounds, and guaranteeing the payment of any sum so borrowed and the interest thereon, (28th March, 1882.)..... 122
30. An Act to grant a special annuity to George James Edwards, late Police Ma-

## VII

- 125
- gistrate's clerk at District " E" in consideration of his long public services (28th March, 1882.).....
81. An Act to authorise and require the Commissioners of Roads for the parishes of Saint James and Saint Peter, respectively, to take under their control and management a road leading from Lancaster plantation in the parish of Saint James to Rosehill plantation in the parish of Saint Peter, (28th March, 1882.)..... 127
32. An Act to consolidate and amend the law relating to the storage and importation of petroleum, (28th March, 1882.)..... 129
33. An Act to amend the law relating to the admission of attorneys, solicitors and proctors to practise in the Courts of this Island, and to make certain provisions with respect to their status thereafter., (30th March, 1882.)..... 147



*Richard P. Spencer.*

[SESSION OF 1881-'82.]



# LAWS OF BARBADOS.

OAP. 1.

[Assented to 10th May, 1881.]

## BARBADOS.

An Act to repeal "The Appropriation Act (No. 1.) 1881," and to grant a sum of money out of the Public Treasury, and to appropriate the same for the services of the year ending the thirty first day of December one thousand eight hundred and eighty one.

*vide Supplementary  
Appropriation Act, 1881  
date 3rd February 1882  
p. 935-*

Preamble.

**W**HEREAS by "The Appropriation Act (No. 1) 1881," the several sums of money mentioned in the schedule thereto annexed were granted for the several purposes and services mentioned in the said schedule during the quarter of the year ending on the thirty first day of March one thousand eight hundred and eighty one; And Whereas it is deemed expedient to formally repeal the said Act and to grant the sum of twenty seven thousand eight hundred and forty four pounds eleven shillings and six pence out of the Public Treasury for making good the supply granted for the service of the year ending on the thirty first day of December one thousand eight hundred and eighty one, and to appropriate the said sum in the manner hereinafter mentioned; Be it therefore enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows;

I. This Act may be cited for all purposes as "The Appropriation Act (No. 2) 1881."

Short Title



## LAWS OF BARBADOS.

Repeal of "The Appropriation Act (No. 1) 1881." *as in p. 233.*

*as in p. 233.*

II. "The Appropriation Act (No. 1) 1881" shall be and the same is hereby repealed; but notwithstanding the repeal of the said Act, any payment made or any act or thing done in conformity with the provisions of the said Act and prior to the repeal thereof shall be deemed to have been legally made or done, and shall be valid to and for all intents and purposes whatsoever.

The sum of £27,844 11 6 granted for the service of the year 1881.

III. The Colonial Treasurer for the time being may issue out of the Public Treasury on the warrant of the Governor in Council, and apply for making good the supply granted for the service of the year ending on the thirty first day of December one thousand eight hundred and eighty one the sum of twenty seven thousand eight hundred and forty four pounds eleven shillings and six pence.

The said sum to be held to have been granted on 1st January 1881, and to include the sums granted by the repealed Act.

IV. The sum granted by this Act shall be held to have been granted on the first day of January one thousand eight hundred and eighty one, and shall include the several sums granted by "The Appropriation Act (No. 1) 1881" which is by this Act repealed.

The said sum to be appropriated as in the Schedule mentioned.

V. The sum granted by this Act out of the Public Treasury for making good the supply granted for the service aforesaid is appropriated and shall be deemed to have been appropriated as from the first day of January one thousand eight hundred and eighty one for the purposes and services expressed in the schedule annexed hereto.

The abstract of the Schedule and this Schedule to be taken as part of the Act.

VI. The abstract of the schedule and the schedule annexed hereto with the notes (if any) to such schedule, shall be deemed to be part of this Act in the same manner as if they had been contained in the body of the Act.

## SESSION OF 1881, '82.

## ABSTRACT

Of the Schedule to which this Act refers.

*Appropriation of Grants.*

	£	s.	D.
Establishments ... ..	1,552	10	0
Exclusive of Establishments, Head 1. Civil.....	1,272	0	0
“ “ “ Head 2. Legislative	181	7	1
“ “ “ Head 3. Judicial...	450	0	0
“ “ “ Head 4. Police.....	4,615	0	0
“ “ “ Head 5. Harbour Police .....	497	0	0
“ “ “ Head 6. Prisons ...	4,820	0	0
“ “ “ Head 9. Public Li- brary.....	295	3	11
“ “ “ Head 10. Medical.	4,690	10	0
“ “ “ Head 12. Interest...	4	0	0
“ “ “ Head 13. Draw- backs .....	2,700	0	0
“ “ “ Head 14. Works and Buildings.....	3,616	14	2
“ “ “ Head 15. Roads ...	700	0	0
“ “ “ Head 16. Rent.....	223	6	8
Miscellaneous.....	2,276	19	8
Total Expenditure...	527,344	11	6

## LAWS OF BARBADOS.

## SCHEDULE—PART I.

*Establishments.*

Schedule of sums granted to defray the several charges on account of Establishments herein particularly mentioned which will come in, in course of payment during the year ending on the 31st day of December 1881, viz :

	SUMS NOT EXCEEDING.					
	£	s.	d.	£	s.	d.
<b>HEAD 2.—B.</b>						
For salary of the Clerk of the House of Assembly ...	500	0	0			
For salary of the Deputy Clerk... ..	150	0	0			
For salary of the Marshal..	100	0	0			
Total, Head 2, B,... £				750	0	0
<b>HEAD 10—C.</b>						
For salaries and wages of members of the staff of the Lunatic Asylum other than the Medical Superintendent... ..	732	10	0			
For salaries and wages of members of the staff of the Lazaretto other than the Surgeon, Superintendent and Chaplain .. ..	70	0	0			
Total, Head 10, C.... £				802	10	0
Total Establishments....	£			1,552	10	0

## SESSION OF 1881-'82.

## SCHEDULE—PART II.

*Exclusive of Establishments.*

Schedule of sums granted to defray the several charges Exclusive of Establishments herein particularly mentioned which will come in, in course of payment during the year ending on the 31st day of December 1881, viz. :

HEAD 1—CIVIL.	SUMS NOT EXCEEDING					
	£	s.	D.	£	s.	D.
a. For the supply of furniture for Government House	350	0	0	350	0	0
d. For furniture, stationery and contingent expenses of the Auditor General's Office ....	50	0	0	50	0	0
e. For wages of Messengers and for stationery and contingent expenses of the Office of the Superintendent of Public Works...	57	10	0	57	10	0
f. For contingent expenses of the Harbour Master's Office.	10	0	0	10	0	0
g. For fees payable for special services rendered by Officers of the Customs.....	50	0	0			
For fees payable for the admeasurement of ships...	100	0	0			
For wages of Messengers, stationery and contingent expenses of the Customs Department .....	161	5	0			
For wages of the watchman and porters of the Petroleum Warehouse.....	91	0	0			
Total, Customs Department..£				402	5	0

## LAWS OF BARRADOS.

	SUMS NOT EXCEEDING,					
HEAD 1—CIVIL—cont.	£	s.	D.	£	s.	D.
j. For wages of cleaners of the Public Market .....	37	5	0			
For gas, water, stationery and contingent expenses of the Public Market ... ..	155	0	0			
Total, Public Market, £				192	5	0
k. For apparatus, stationery and contingent expenses of the Fire Brigade .....	90	0	0	90	0	0
m. For the purchase of flags and for stationery and contingent expenses of the several Signal Stations ... ..	85	0	0	85	0	0
n. For the purchase of instruments and stationery required for, and for contingent expenses incurred in, carrying out the Inland Revenue Act, No. 506...	35	0	0	35	0	0
Total, Head 1, Civil ... .. £	1,272	0	0			
HEAD 2.—LEGISLATIVE.						
a. For contingent expenses of the Legislative Council. ...	10	0	0	10	0	0
b. For contingent expenses of the House of Assembly.	50	0	0			
For making good a deficiency in the sum granted to meet the contingent expenses of the House of Assembly during the year 1880.....	1	7	1			
Total, House of Assembly...				51	7	1

## SESSION OF 1881-'82.

	SUMS NOT EXCEEDING.					
	£	s.	d.	£	s.	d.
<b>HEAD 2.—LEGISLATIVE—CON.</b>						
<i>c.</i> For stationery and contingent expenses of Administrative Committees ...	70	0	0	70	0	0
<b>Total, Head 2, Legislative. £</b>	<b>131</b>	<b>7</b>	<b>1</b>			
<b>HEAD 3.—JUDICIAL.</b>						
<i>f.</i> For Constables' staves and fees .....	125	0	0	125	0	0
<i>g. &amp; h.</i> For stationery and contingent expenses of the Judicial Department ...	325	0	0	325	0	0
<b>Total, Head 3, Judicial. £</b>	<b>450</b>	<b>0</b>	<b>0</b>			
<b>HEAD 4.—POLICE.</b>						
<i>b.</i> For clothing for the Police Force .....	1,120	0	0	1,120	0	0
<i>c. &amp; d.</i> For cleaning, lighting and supplying water, and for the supply and repair of furniture for the several Police Stations .....	375	0	0	375	0	0
<i>e. &amp; m.</i> For stationery, printing and contingent expenses of the Police Force...	260	0	0	260	0	0
<i>f. &amp; l.</i> For maintaining hospitals and supplying medicine for, and for providing for the burials of members of the Police Force .....	160	0	0	160	0	0
<i>h. &amp; j.</i> For forage and freight of horses purchased for the Police Force and for expenses incidental to their keep .....	2,125	0	0	2,125	0	0

## LAWS OF BARBADOS.

	SUMS NOT EXCEEDING.					
HEAD 4.—POLICE—cont.	£	s.	d.	£	s.	d.
<i>k.</i> Conveyance of prisoners...	100	0	0	100	0	0
<i>n.</i> For supplementing the sum granted under the Superannuation Act of 9th of May 1880.....	375	0	0	375	0	0
For the keep of three Post horses (reimbursed)....	100	0	0	100	0	0
Total, Head 4, Police.. £	4,615	0	0			
HEAD 5—HARBOUR POLICE.						
<i>b.</i> For clothing for the Harbour Police... ..	305	0	0	305	0	0
<i>c. &amp; d.</i> For cleaning, lighting and supplying water, and for the supply and repair of furniture for the Guard House of the Harbour Police.....	60	0	0	60	0	0
<i>e. &amp; j.</i> For stationery and contingent expenses of the Harbour Police .....	30	0	0	30	0	0
<i>f. &amp; g.</i> For the purchase and repair of boats and apparatus, for the hire of boats for the use of the Harbour Police .....	100	0	0	100	0	0
<i>h.</i> For providing for the burial of members of the Harbour Police.....	2	0	0	2	0	0
Total, Head 5, Harbour Police..... £	497	0	0			

## SESSION OF 1881-'82.

	SUMS NOT EXCEEDING.					
	£	s.	d.	£	s.	d.
<b>HEAD 6, PRISONS.</b>						
<i>a.</i> For supplying provisions for the inmates of the several prisons . . . . .	2,200	0	0	2,200	0	0
<i>b.</i> For clothing and uniforms	350	0	0	350	0	0
<i>c. &amp; d.</i> For cleaning, lighting and supplying water, and for the supply and repair of furniture for the several prisons . . . . .	625	0	0	625	0	0
<i>e. &amp; h.</i> For stationery and contingent expenses of the several prisons . . . . .	170	0	0	170	0	0
<i>f.</i> For maintaining hospitals in connection with the several prisons . . . . .	350	0	0	350	0	0
<i>g.</i> For the expense of cooperage and other work done at the several prisons . . . . .	1,100	0	0	1,100	0	0
For grant to the Keeper of District "D" Prison . . .	25	0	0	25	0	0
<b>Total, Head 6, Prisons... £</b>	<b>4,820</b>	<b>0</b>	<b>0</b>			
<b>HEAD 9—PUBLIC LIBRARY.</b>						
For payment of the undrawn arrears of the annual grant made by the Act of the 24th of December 1879, for the purchase and binding of books for the Public Library . . . . .	275	3	11	275	3	11
For stationery and contingent expenses of the Public Library . . . . .	20	0	0	20	0	0
<b>Total, Head 9, Pub. Library. £</b>	<b>295</b>	<b>3</b>	<b>11</b>			



## LAWS OF BARBADOS.

	SUMS NOT EXCEEDING.					
HEAD 10—MEDICAL.	£	s.	d.	£	s.	d.
<i>e.</i> Lunatic Asylum						
( <i>c.</i> & <i>a.</i> ) For supplying provisions for the Lunatic Asylum .....	2,100	0	0			
( <i>b.</i> ) For clothing .....	200	0	0			
( <i>c.</i> ) & ( <i>d.</i> ) For cleaning, lighting and supplying water, and for the supply and repair of furniture for the Lunatic Asylum .....	70	0	0			
( <i>e.</i> ) & ( <i>h.</i> ) For stationery and contingent expenses of the Lunatic Asylum .....	215	0	0			
( <i>b.</i> ) & ( <i>g.</i> ) For supplying medicine for and providing for the burial of inmates of the Lunatic Asylum .....	35	0	0			
Total, Lunatic Asylum...£				2,620	0	0
<i>d.</i> Lazaretto.						
( <i>a.</i> ) For supplying provisions for the Lazaretto .....	1,250	0	0			
( <i>b.</i> ) For clothing .....	250	0	0			
( <i>c.</i> ) & ( <i>d.</i> ) For cleaning, lighting and supplying water, and for the supply and repair of furniture for the Lazaretto .....	225	0	0			
( <i>e.</i> & <i>h.</i> ) For stationery and contingent expenses of the Lazaretto .....	60	0	0			
( <i>b.</i> & <i>g.</i> ) For supplying medicine for and providing for the burial of inmates of the Lazaretto .....	73	0	0			
For wages for extra servants at the Lazaretto .....	100	0	0			
Total, Lazaretto ..... £				1,958	0	0

## SESSION OF 1881-'82.

	SUMS NOT EXCEEDING.					
HEAD 10.—MEDICAL—CON.						
a. Board of Health.	£	s.	D.	£	s.	D.
For wages and watchman on Pelican Island.....	20	0	0			
For supplying provisions for the Lazaretto on Pelican Island and for contingent expenses of the Board ...	30	0	0			
Total, Board of Health...				50	0	0
b. Poor Law Board.						
For wages of messengers, for the supply and repair of furniture, and for stationery and contingent expenses of the Poor Law Board .....	62	10	0	62	10	0
Total, Head 10, Medical... £	4,690	10	0			
HEAD 12—INTEREST.						
For payment of the difference between the interest guaranteed on certain sums by Act 174, sect. 27, and that allowed by the Colonial Bank in which such sums are deposited ... ..	4	0	0	4	0	0
HEAD 13—DRAWBACK.						
For drawback on goods exported.....	2,000	0	0	2,000	0	0
For drawback on goods damaged and short landed.	600	0	0	600	0	0
For drawback on Government stores .....	100	0	0	100	0	0
Total Head 13, Drawback. £	2,700	0	0			

## LAWS OF BARBADOS.

	SUMS NOT EXCEEDING.					
HEAD 14, WORKS & BUILDINGS	£	s.	d.	£	s.	d.
<b>A. Public Buildings</b>						
For wages of Keepers and for contingent expenses ...	90	0	0	90	0	0
<b>B. Repairs.</b>						
1. For repairs in Public Buildings.....	50	0	0			
1.a. For repairs in Govern- ment House.....	78	0	0			
1.g. For repairs in Customs and Petroleum Warehouses	10	0	0			
1.j. For repairs in the Market.....	95	0	0			
1.k. For repairs at the Fire Brigade Stations. ....	30	0	0			
1.l. For repairs to the Light Houses.....	64	0	0			
1.m. For repairs at the Sig- nal Stations.....	100	0	0			
4. For repairs at Police Stations.....	250	0	0			
5. For repairs at the Guard House of the Harbour Police.....	40	0	0			
6. For repairs in the Prisons and Town Hall.. ..	350	0	0			
10. c. For repairs at the Lu- natic Asylum ... ..	250	0	0			
10. d. For repairs at the La- zaretto.....	50	0	0			
10. e. For repairs in the La- zaretto on Pelican Island.	50	0	0			
For miscellaneous repairs ...	10	0	0			

## SESSION OF 1881-'82.

		SUMS NOT EXCEEDING.		
HEAD 14, WORKS & BUILDINGS				
	—con.	£	s.	D.
a.	For repairs in and turning of the Swing Bridge .....	80	0	0
b.	For repairs to and new chain for Buoys .....	40	0	0
c.	For repairing and painting Cranes .....	50	0	0
d.	For expenses connected with the up keep of the Dredge, Hoppers and Tug.	300	0	0
e.	For incidental repairs to walls, &c. ....	300	0	0
	Total, repairs, ....			
				2,197 0 0
c.	New Works.			
1.	For reconstruction of the roof of the East Wing of the Public Buildings .....	257	0	0
1. 7.	For constructing sheds in the Public Market .....	275	0	0
	For laying on water and gas in the Public Market .....	107	14	2
3.	Furniture for the Town Hall .....	30	0	0
•	For the construction of a Public Garden .....	100	0	0
	For the construction of the Fountain Garden .....	340	0	0
	For the construction of a shelter shed for boatmen...	40	0	0
	Total, New Works . . .			
				1,149 14 2
D.	Incidental Expenses.			
	For salary of the Ballast Yard Clerk .....	80	0	0
	For lighting the Wharf .....	100	0	0
	Total, Incidental Expenses			
				180 0 0
	Total, Head 14, Works and Buildings .....	3,616	14	2

## LAWS OF BARBADOS.

	SUMS NOT EXCEEDING.					
HEAD 15—ROADS.	£	s.	d.	£	s.	d.
For payment of the grant to the Parish of Christ Church for the year 1880-'81 .....	350	0	0	350	0	0
For payment of the grant made to the Parish of Saint Joseph for the year 1880-'81 .....	350	0	0	350	0	0
Total, Head 15, Roads... £	700	0	0			
HEAD 16—RENT.						
1.g. For rent of buildings used by Customs Department .....	83	6	8	83	6	8
4. For rent of buildings required for the Police ... ..	90	0	0	90	0	0
5. For rent of an Office and Sergeant's quarters for the Harbour Police.....	25	0	0	25	0	0
1.k. For rent of buildings used by the Fire Brigade.	25	0	0	25	0	0
Total, Head 16, Rent... £	223	6	8			
MISCELLANEOUS.						
For the cost of providing Parish Registers, of indexing and binding the same.	72	8	0	72	8	0
For the cost of telegrams...	100	0	0	100	0	0
For advertising Liquor Licenses .. .. .	25	0	0	25	0	0
For Government binding and printing .....	1,600	0	0	1,600	0	0

## SESSION OF 1881-'82.

	SUMS NOT EXCEEDING.					
MISCELLANEOUS—con.	£	s.	d.	£	s.	d.
For stationery and incidental expenses of taking the Census .....	350	0	0	350	0	0
For Badges for Hawkers, &c	25	0	0	25	0	0
For the cost of attaching and appraising Mr. Payne's property.....	4	11	8	4	11	8
For providing a fund to be at the Governor's disposal for the service of the Colony .....	100	0	0	100	0	0
<b>Total, Miscellaneous .... £</b>	<b>2,276</b>	<b>19</b>	<b>8</b>			
<b>Total Exclusive of Establishments. .... £</b>	<b>26,292</b>	<b>1</b>	<b>6</b>			



## LAWS OF BARBADOS.

## CAP. II.

[Assented to 10th May, 1881.]

## BARBADOS.

*An Act to enable the Colony to enter the International Postal Union*

## Preamble.

**W**HEREAS it is desirable that the Colony should share in the advantages of the International Postal Union, and it is necessary that provision should be made to enable it to enter the said Union; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;

Governor authorised to arrange for the Colony entering the Postal Union.

I. The Governor is hereby authorised and requested to enter into the necessary arrangements with the proper authorities to enable the Colony to become a member of the said Postal Union; Provided however, that he shall not be empowered to pledge the revenue of the Colony to an amount exceeding two thousand five hundred pounds per annum.

## Proviso.

Governor-in-Council may make rules and regulations respecting the Colony's membership of the Union.

II. The Governor-in-Council may from time to time make such rules and regulations as may be necessary to enable the Colony to preserve an efficient membership of the said Postal Union. All such rules and regulations when made may, by the same authority, be altered, amended, or annulled, and all such rules and regulations whether original or otherwise shall be published three times in the Official Gazette and thereafter shall have the force of law.

Enactments inconsistent with such membership to stand repealed.

III. Any provision with respect to the rates of postage or any other matter of the Act of the twenty fifth day of March one thousand eight hundred and seventy four, entitled, "An Act to consolidate and amend the laws relating to the Post Office in this Island," which shall be repugnant to the rules of the said Postal Union or inconsistent with its working in connexion with the postal system of the Colony, shall be and shall stand repealed.

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## SESSION OF 1881-'82.

## CAP. III.

[Assented to 15th June, 1881.]

## BARBADOS.

*An Act to assist persons under certain conditions to emigrate to the neighbouring colonies.*

**W**HEREAS it is deemed expedient, subject to certain conditions, to assist persons of the poorer classes who would be likely to better their condition by emigration, to leave this Island and try their fortunes in the neighbouring colonies, or who are desirous of joining their relations there; Be it therefore enacted by the Governor, Council, and Assembly of this Island. and by the authority of the same, as follows;

Preamble.

I. This Act may be cited for all purposes as, "The Emigration Allowance Act, 1881."

Short Title.

II. Subject to the provisoes in this section contained, the Governor in Council is hereby authorised to expend a sum not exceeding three hundred pounds per annum in assisting persons of the poorer classes who in the opinion of the Governor in Council would be likely to better their condition by so doing to emigrate from this Island to any of the neighbouring colonies, either British or Foreign, provided as follows;

Governor-in-Council may expend £300 per annum in assisting persons of the poorer class to emigrate to neighbouring Colonies.

Provisoes.

- a. No person shall be so assisted who is not proved to the satisfaction of the Governor in Council to stand in need of such assistance.
- b. No person shall be so assisted who may be able to obtain a free passage to a neighbouring colony from any emigration agent in this Island.
- c. No person shall be so assisted more than once.



## LAWS OF BARBADOS.

Assistance may also be granted to family of person assisted, &c

Harbour Master to arrange for passage of person assisted.

Governor-in-Council may make regulations for carrying out intention of Act.

Duration of Act.

III. The assistance so granted to any person shall include, if the Governor in Council shall think fit, assistance for the members of his family dependent on him, and also a sum of money to be paid to such person on his arrival at the port of destination.

IV. It shall be the duty of the Harbour Master, when called upon to do so by the Governor, to make all necessary and proper arrangements for the passage of any person assisted under this Act.

V. The Governor in Council may from time to time make, and when made amend or annul, regulations for the purpose of carrying into effect the intention of this Act, provided that no such regulation shall have effect if it be contrary to any of the provisions of this Act, and provided also that all such regulations shall be duly published in the Official Gazette.

VI. This Act shall continue in operation until and inclusive of the thirty first day of December, One thousand eight hundred and eighty three.

## CAP. IV.

[Assented to 15th June, 1881.]

## BARBADOS.

*An Act to amend the Act of the eighteenth day of April one thousand eight hundred and fifty three, entitled, "An Act to consolidate and amend the Laws relating to the care and maintenance of Lunatics," by reducing the expenses attendant on the holding of Boards of Lunacy.*

Preamble.

**B**E it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;

I. In section eleven of the Act of the

## SESSION OF 1881-'82.

eighteenth day of April one thousand eight hundred and fifty three, entitled, "An Act to consolidate and amend the laws relating to the care and maintenance of lunatics," instead of the words "two pounds" there shall be substituted and read the words "one pound one shilling."

Amendment of the Act of 18th April, 1853.

II In the case of any person brought before any two Justices of the Peace as a supposed lunatic under the provisions of the said recited Act, if it shall appear that such person has been an inmate of any lunatic asylum at any time within the period of twelve months next preceding, it shall be lawful for the said two Justices, if they shall think fit, to issue their warrant for the conveyance of such person to the lunatic asylum and his confinement thereat without requiring the attendance or certificate of any physician or surgeon; provided that in any case of difficulty the said two Justices shall obtain the assistance on the enquiry of a physician or surgeon, who shall receive the fee hereinbefore mentioned.

Two Justices alone may re-commit to the Lunatic Asylum any person who within the twelve months preceding has been an inmate thereof.

Proviso.

III. One at least of the two Justices on every Board of Lunacy shall be a Police Magistrate.

One of the two Justices to be a Police Magistrate.

IV. This Act and the said recited Act shall be read together as one Act.

Construction of Act.

CAP. V.

[Assented to 15th June, 1881.]

BARBADOS.

*An Act for securing to Monsieur Marie Jean Leon Marie of Saint Pierre in the Island of Martinique, the exclusive benefit for a limited time of his invention for improvements in furnaces for burning cane trash, shavings or other fuel.*

WHEREAS the said Marie Jean Leon Marie hath represented through

Preamble.

## LAWS OF BARBADOS.

Messieurs Michael Cavan and Company Merchants in this Island, by petition to the Legislature of this Island, that he is in possession of an invention for improvements in furnaces for burning cane trash, shavings or other fuel, which invention he believes will be of great public utility, and that the same is not in use in this Island by any other person or persons, and the said Messieurs Michael Cavan and Company prayed for him and on his behalf that an Act might be passed, securing to him, his executors, administrators and assigns, the exclusive benefit of his said invention for a limited term of years, in this Island ; And Whereas it is deemed expedient to grant the prayer of the said petition ; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same as follows ;

Grants Patent rights  
to Marie Jean Leon  
Marie for seven years

I. The said Marie Jean Leon Marie, his executors administrators and assigns, and every of them by himself and themselves, or by his and their deputy or deputies, servants or agents or such others as he the said Marie Jean Leon Marie, his executors administrators or assigns, shall at any time agree with, and no others, from time to time, and at all times hereafter, during the term of seven years computed from the passing of this Act, shall and lawfully may make, use and exercise and vend his said discovery or invention in this Island in such manner as to him the said Marie Jean Leon Marie, his executors administrators and assigns, or any of them, shall in his or their discretion, seem meet ; and he the said Marie Jean Leon Marie, his executors administrators and assigns shall and lawfully may have and enjoy the whole profit, benefit, commodity and advan-

## SESSION OF 1881-'82.

tage, from time to time, coming, growing, accruing or arising by reason of the said discovery or invention for and during the term hereinbefore mentioned.

II, It shall not be lawful for any person or persons, bodies politic or corporate or any of them at any time during the continuance of the said term hereby granted, either directly or indirectly to make, use or put in practice the said invention, or any part of the same, nor in anywise counterfeit, imitate or resemble the same, whereby to represent himself or themselves, the inventor or inventors thereof, without the consent of the said Marie Jean Leon Marie, his executors administrators or assigns, in writing under his or their hand or hands, seal or seals, first had and obtained in that behalf.

Protection granted  
to patentee.

III. If any person or persons whomsoever, body or bodies politic or corporate, shall during the continuance of the said term at any time either directly or indirectly make, use, put in practice, or vend the said invention, or any part thereof, within this Island, without a permission or license in writing, first had and obtained from the said Marie Jean Leon Marie his attorneys executors administrators or assigns, the said Marie Jean Leon Marie his executors administrators and assigns, shall have and be entitled to such and the like remedies both at law and in equity in the courts of this Island against every such person, bodies politic or corporate, for every such infringement or violation of the rights and privileges hereby granted to him and them, or against the person or persons for whose benefit the same shall have been so made, used or put in practice, without such license or permission as aforesaid, as the grantee of any letters

Remedies for in-  
fringement of rights  
of patentee.

## LAWS OF BARBADOS.

patent for any invention would be entitled to in the like cases by the law of England, and in any action which may be brought against any such person or persons, or bodies politic or corporate, it shall be lawful for the defendant in such action to plead any such matter in defence as may be pleaded by any defendant in any action brought in any court of law or equity in England for the infringement of any patent granted by Her Most Gracious Majesty the Queen.

Specification in duplicate to be filed within three months in Colonial Secretary's Office..

IV. Provided nevertheless that if the said Marie Jean Leon Marie his executors administrators or assigns shall not file a specification in duplicate of his said invention in the Secretary's Office of this Island, within three calendar months after the passing of this Act, then this Act and all liberties and advantages whatsoever hereby granted shall utterly cease, determine and become void, anything hereinbefore contained to the contrary thereof notwithstanding.

## CAP. VI.

[Assented to 6th July, 1881.]

## BARBADOS.

*An Act to grant certain sums of money for Educational purposes in addition to the sums granted in accordance with the provisions of "The Education Act, 1878."*

Preamble.

**W**HEREAS by section ten of "The Education Act, 1878," it is provided that the Education Board in framing their annual estimates for the purposes of carrying out the improvements mentioned in the said Act and for the general educational service of the Colony shall not in any one year suggest any greater increase on the preceding year's estimates than two thousand

## SESSION OF 1881-'82.

pounds in the year one thousand eight hundred and seventy nine and one thousand pounds in any year thereafter, but subject to that limitation they are authorised to increase the estimates in each year by such an amount as they shall deem proper for educational purposes, provided the annual expenditure under the said Act in no event in any one year exceeded fifteen thousand pounds ; And Whereas the Education Board have submitted to the Legislature an estimate in detail of all sums which will be required for the above-mentioned purposes in the present year and have represented to the Legislature that in order to enable the said Board to carry out effectively the provisions of "The Education Act, 1878," and to maintain the educational system of the colony in a satisfactory condition it is necessary that they should be permitted to increase their estimates in the present year by the sum of one thousand seven hundred and eighty seven pounds nineteen shillings and two pence, in addition to the sum of one thousand pounds authorised by the said Act ; And Whereas it is deemed expedient to permit the said Board to increase their estimates in the manner hereinbefore mentioned and to grant the sum of one thousand seven hundred and eighty seven pounds nineteen shillings and two pence so as to enable the said Board to expend the several sums mentioned in their estimates as required for educational purposes ; And Whereas by sections thirty two and thirty four of "The Education Act, 1878," it is provided that the said Board shall frame schemes for the establishment either concurrently or from time to time of second grade schools in such localities as may be deemed by them expedient and that in such schemes the

## LAWS OF BARBADOS.

said Board shall (among other things) set forth the public grants or allowances to be made towards the establishment or maintenance of the schools thereby established, and that the schemes so framed shall, after the conditions mentioned in the said section thirty four are complied with, obtain the force of law and be as valid to all intents and purposes as if they had been inserted in the said Act; and by section thirty six of the said Act it is provided that the said Board shall in their annual estimates propose such grants as they shall think proper in aid of the second grade schools to be established as aforesaid; And Whereas in the year one thousand eight hundred and eighty, the said Board in pursuance of the powers given to them by the sections of "The Education Act, 1878" lastly hereinbefore referred to duly framed certain schemes for the establishment of three second grade schools called, respectively the Pilgrim Place School, the Parry School, and the Coleridge School, and the said schemes duly obtained the force of law; And Whereas the said Board in their annual estimates in the year one thousand eight hundred and eighty proposed that a sum of one hundred pounds each should be granted in aid of the said three second grade schools; And Whereas owing to the late period of the year at which the said schemes were framed the said three second grade schools were unable to obtain payment of the said sums of one hundred pounds each although the same had been duly voted; And Whereas it is deemed expedient under the aforesaid circumstances to re-grant the three several sums of one hundred pounds each in aid of the three said several second grade schools in addition to any grants which the said Board in their annual estimates for the present year may

"Pilgrim Place," the  
"Parry School," & the  
"Coleridge School".

## SESSION OF 1881-'82.

have proposed in aid of the said three second grade schools; Be it therefore enacted by the Governor, Council and Assembly of this Island and by the authority of the same as follows;

I. The sum of one thousand seven hundred and eighty seven pounds nineteen shillings and two pence is hereby granted from the Public Treasury to the Education Board in addition to the sums granted or to be granted in the present year in accordance with the provisions of "The Education Act, 1878," for educational purposes; and the Governor in Council is hereby authorised and requested to issue warrants to the Treasurer of the Island for the payment of such sum or sums of money not exceeding in the aggregate the sum granted by this Act, as may be required by the said Board during the present year in addition to the sums granted or to be granted to them in accordance with the provisions of "The Education Act 1878"; and the sum granted by this Act shall be expended by the said Board along with the last mentioned sums for the purposes mentioned in the estimates of the present year.

Grant made to the Education Board in addition to the sums voted on the estimates.

II. Section ten of "The Education Act, 1878," shall be deemed to be suspended so far as is necessary for the operation of the present Act, but save as aforesaid the said section shall not be deemed to be in any wise affected hereby.

Section ten of the Education Act 1878 suspended.

III. The sum of one hundred pounds is hereby granted from the Public Treasury to each of the three second grade schools hereinbefore mentioned, and the Governor in Council is hereby authorised and requested to issue his warrants to the Treasurer of the Is-

Grants made to certain second grade schools.



## LAWS OF BARBADOS.

land requiring him to pay to the Governing Body of each of the said schools a sum of one hundred pounds.

The grants made to such schools to be in addition to the grants made for the current year.

IV. The grants made by the last preceding section of this Act shall be deemed to have been made in addition to such grants in aid of the said three second grade schools as are proposed by the said Board in their estimates for the present year.

## CAP. VII.

[Assented to 27th July, 1881.]

## BARBADOS.

*An Act to grant a sum of money to the Vestry of the parish of Saint Thomas.*

## Preamble.

WHEREAS in the year one thousand eight hundred and seventy six the Assembly of this Island passed a Bill granting the sum of four hundred pounds out of the Public Treasury to the Vestry of the parish of Saint Thomas, to aid the said Vestry in providing a suitable Almshouse for the sheltering of the old, infirm and destitute poor of the said parish, but the said Bill never obtained the force of law; And Whereas the Rector and Vestry of the said parish of Saint Thomas have recently presented a petition to the Executive Committee, praying that a sum of money might be placed on the estimates, to be granted to them out of the Public Treasury, to aid them in making certain necessary additions to the Almshouse which they now possess, and in enclosing the same; And Whereas under the special circumstances existing in this case, it is deemed expedient to grant a sum of two hundred and fifty pounds out of the Public Treasury to the said Vestry

## SESSION OF 1881-'82.

to aid them in effecting the aforesaid objects;  
Be it therefore enacted by the Governor,  
Council, and Assembly of this Island, and  
by the authority of the same, as follows;

I. The sum of two hundred and fifty pounds is hereby granted from the Public Treasury to the Vestry of the said parish, to assist them in effecting the objects mentioned in their petition, and the Governor in Council is hereby authorised and respectfully requested to issue a warrant to the Treasurer of the Island, requiring him to pay the aforesaid sum as a grant to the order of the Rector and Vestry of the said parish as soon as they shall have certified that any of the works mentioned in their petition have been commenced.

\$250 granted to the  
Parish of St Thomas

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OAP. VIII.

[Assented to 27th July, 1881.]

BARBADOS.

*An Act to grant a sum of money to Rebecca  
Jane Da Rocha, the widow of the late  
Charles Frederick Augustus Da Rocha.*

**W**HEREAS the late Charles Frederick Augustus Da Rocha served with diligence and fidelity in the Police Force of this Island for a period of thirty six years and six months, ending on the first day of September, one thousand eight hundred and seventy six, and during the said period the usual deductions were made from his pay in support of the Police Reward Fund; And Whereas in the year one thousand eight hundred and seventy six the said late Charles Frederick Augustus Da Rocha was appointed Superintendent of the Harbour Police and thereupon he and his family forfeited all claim on the said Police Re-

Preamble.

## LAWS OF BARBADOS.

ward Fund to which he had previously for so long a period contributed ; And Whereas the said late Charles Frederick Augustus Da Rocha has recently died leaving a widow and six children, two of whom are wholly unable to maintain themselves ; And Whereas under the special circumstances hereinbefore mentioned and in consideration of the long and faithful service rendered to this Island by the said late Charles Frederick Augustus Da Rocha, it is deemed expedient to grant his widow such sum as is hereinafter mentioned ; Be it therefore enacted by the Governor, Council and Assembly of this Island, and by the authority of the same as follows ;

£100 granted to Rebecca Jane Da Rocha the Widow of the late Charles Frederick Augustus Da Rocha.

I. The sum of one hundred pounds is hereby granted from the Public Treasury to Rebecca Jane Da Rocha, the widow of the late Charles Frederick Augustus Da Rocha and the Governor in Council is hereby authorised and respectfully requested to issue a warrant to the Treasurer of the Island requiring him to pay her the aforesaid sum as a grant.

## CAP. IX.

[Assented to 23rd August, 1881.]

## BARBADOS.

*An Act to amend the "Petty Debt Acts of 1869 and 1870," and "The Debtors Act, 1879."*

Preamble.

**W**HEREAS it is deemed expedient to amend the "Petty Debt Acts of 1869 and 1870," in manner hereinafter mentioned, and to remove certain doubts which have arisen as to the true construction of certain provisions of the said Acts and of the Debtors' Act, 1879 ; Be it therefore enacted by the

## SESSION OF 1881-'82.

Governor, Council and Assembly of this Island, and by the authority of the same, as follows ;

I. The Judge of the Petty Debt Court of the City of Bridgetown shall hold a Court daily from the hour of ten of the clock in the forenoon to the hour of four of the clock in the afternoon, or on such days and during such hours as the Governor in Council may from time to time appoint. Provided always that it shall not be obligatory on the said Judge to hold a Court on Good Friday, Christmas Day, Sundays, or any day appointed by proclamation for a public fast, humiliation, or thanksgiving, or at any time when there shall not be any business before his Court.

Days and hours for holding the Bridgetown Petty Debt Court.

Proviso.

II. Carlisle Bay shall form part of the district within and throughout which the Judge of the Petty Debt Court of the City of Bridgetown has the jurisdiction of a Petty Debt Court Judge, and it shall be lawful to execute in the said Bay all writs of the said Court.

Carlisle Bay declared to be within the Bridgetown Petty Debt Court jurisdiction.

III. The summons mentioned in section nine of the Act of the twenty second day of September one thousand eight hundred and sixty nine, entitled, "An Act for the more easy and speedy recovery of small debts and demands," may issue in the Court of the district in which the cause of action arose, so far only as debts are concerned, without the leave of the Judge of such Court being obtained prior to the issue of such summons; and the said section nine so far as is necessary for the purposes of this section shall be and is hereby repealed, but save as aforesaid the said section nine shall not be deemed to be in anywise affected hereby.

In case of debts a summons may issue without leave where the cause of action arose.

## LAWS OF BARBADOS.

**Powers of the Assistant Court of Appeal in appeals under "The Debtors Act 1879."**

IV. In all cases in which an appeal is made to the Assistant Court of Appeal from any order or judgment made or given under any of the provisions of "The Debtors Act, 1879," by the Judge of any Petty Debt Court, the Judges of the said Assistant Court of Appeal shall have and may exercise all or any of the powers which are by the said last mentioned Act vested in the Petty Debt Court Judge from whose order or judgment the appeal is made.

**Powers of the Assistant Court of Appeal on appeal from the Petty Debt Courts.**

V. On the hearing of an appeal from the judgment or decision of a Judge of any of the Petty Debt Courts of this Island, the Judges of the Assistant Court of Appeal shall have and exercise all the powers with respect to amendment or otherwise which are vested in Judges of the Petty Debt Court.

**Appointment of Petty Debt Court Judges to frame Rules, etc.**

VI. The Chief Justice may from time to time and as occasion shall require, appoint from among the several Petty Debt Court Judges any number thereof, not less than three nor more than five, to frame rules and orders for regulating the practice of the said Courts and also forms of proceedings therein in addition to or in substitution for any existing rules, orders and forms, and to amend any such existing rules, orders and forms, or to effect either of the aforesaid purposes, and the Chief Justice may, if he shall think fit, fill up any vacancies in the number of Judges at any time so appointed which may after their appointment occur.

**Rules, etc., when made to be submitted to the Chief Justice.**

VII. All rules, orders and forms framed or amended by the Petty Debt Court Judges appointed as hereinbefore provided, shall, after they have been certified under the hands of such Judges or of any three or more of them, be submitted to the Chief Justice who may allow or disallow or alter the same, and the rules, orders and forms or amended rules,

## SESSION OF 1881-82.

orders and forms when so allowed or altered shall, from a day to be named by the Chief Justice, be in force in every Petty Debt Court.

VIII. All rules, orders and forms framed or amended under the provisions of the two last preceding sections of this Act shall be laid before the Legislative Council and the House of Assembly within forty days after the making thereof, if the Legislature is then sitting, or if not, within forty days after the commencement of the then next ensuing session, and if an address is presented to the Governor by either House of Legislature within the next subsequent forty days on which the said House shall have sat praying that any such rule, order or form may be annulled, the Governor may thereupon by order in Council annul the same, and the rule, order or form so annulled shall thenceforth become void and of no effect, but without prejudice to the validity of any proceedings which may in the meantime have been taken under or in accordance with the same.

Rules, etc., to be laid before the Legislature.

Any rule, etc., may be annulled by the Governor in Council on address from either House.

IX. The Acts specified in the first column of the Schedule annexed hereto shall be and are hereby repealed to the extent specified in the third column of the said Schedule; provided always that the repeal of the specified portion of section twenty one of the first Act mentioned in the said Schedule shall not in anywise affect the validity of any such general rules affecting the practice and proceedings of the Petty Debt Courts or of any such forms in use in the said Courts as were framed, revised, altered or amended under and in accordance with the powers and provisions conferred by and contained in the said section.

Repeal of enactments

LAWS OF BARBADOS.

SCHEDULE.

Schedule.

No. of Act.	Date and title of Act.	Extent of Repeal.
✓ No. 468.	22nd September, 1869, An Act for the more easy and speedy recovery of small debts and demands.	Section 21, from commencement to "actions and proceedings in their several Courts, and" and section 37.
✓ No. 481.	10th August, 1870, An Act to amend an Act passed on the 22nd day of September 1869, entitled, "An Act for the more easy and speedy recovery of small debts and demands."	Section 3, from "and lastly if no such personal nor real estate of such debtors can be found" to end of section. Section 5, and the Forms of Execution annexed to the Act, from "But if you the said cannot find any moneys, &c., nor any other estate" to in the meantime.



## SESSION OF 1881-'82.

## CAP. X.

[Assented to 24th August 1881.]

## BARBADOS.

*An Act to secure to Edward Hunt, of Salford in the County of Lancaster in England, Analytical Chemist, the exclusive benefit for a limited time of an invention of the said Edward Hunt, for improvements in Sugar Refining.*

**W**HEREAS Edmund Knight Taylor of Preamble the parish of Saint Michael in the Island of Barbados, Solicitor for the said Edward Hunt, hath presented to the Legislature of this Island his humble petition, setting forth that the said Edward Hunt is in possession of an invention for improvements in Sugar Refining; and that he is the true inventor thereof, and that the same is not in use by any other person or persons in this Island to the best of his knowledge and belief; And Whereas the said Edmund Knight Taylor humbly prayed in and by his said Petition that an Act may be passed for securing to the said Edward Hunt his heirs executors administrators and assigns the exclusive right for a limited time to use and vend his said invention; And Whereas it is deemed expedient to grant the prayer of the said Petition; Be it therefore enacted by the Governor, Council, and Assembly of this Island and by the authority of the same as follows;

I. The said Edward Hunt his executors administrators and assigns and every of them by himself and themselves, or by his or their deputy or deputies, servants or agents or such others, as he the said Edward Hunt his executors administrators and assigns shall at any time agree with, and no others, from time to time and at all times hereafter

Grants exclusive right for 7 years from the passing of the Act.



## LAWS OF BARBADOS.

during the term of seven years from the passing of this Act, shall and lawfully may make, use, exercise and vend the said invention for improvements in Sugar Refining within this Island, in such manner as to him the said Edward Hunt his executors administrators and assigns or any of them, shall in his or their discretion seem meet ; And he the said Edward Hunt his executors administrators and assigns, shall and lawfully may have and enjoy the whole profit, benefit, commodity and advantage from time to time, coming, growing accruing and arising by reason of the said invention for and during the term hereinbefore mentioned.

Protection to Patentee.

II. It shall not be lawful for any person or persons, body or bodies, politic or corporate, or any of them at any time during the continuance of the said term hereby granted, either directly or indirectly to make, use or put in practice the said invention, or any part of the same, nor in any wise counterfeit, imitate or resemble the same, or make or cause to be made any addition thereto or subtraction from the same whereby to pretend himself or themselves the inventor or inventors thereof without the consent of the said Edward Hunt his executors administrators and assigns in writing under his or their hand or hands first had and obtained in that behalf.

Remedy for infringement of Patent.

III. If any person or persons, body or bodies, politic or corporate, shall during the continuance of the said term at any time either directly or indirectly make, use, put in practice or vend the same invention and improvements or any of them or any part thereof within this Island, without a permission or license in writing

## SESSION OF 1881-'82.

first had and obtained from the said Edward Hunt his attorneys executors administrators and assigns, the said Edward Hunt his executors administrators and assigns shall have and be entitled to such and the like remedies both at law and in equity in the courts of this Island against all and every such person or persons, body or bodies, politic or corporate, for every such infringement or violation of the rights and privileges hereby granted to them or against the person or persons for whose benefit the same shall have been so made, used, or put in practice without such license or permission as aforesaid as the grantee of any letters patent for any invention would be entitled to in the like case by the law of England, and in any action which may be brought against any such person or persons body or bodies, politic or corporate, it shall be lawful for the defendant in such action to plead any such matters in defence, as may be pleaded by any defendant in any action brought in the superior courts of law or equity in England for the infringement of any patent granted by Her most Gracious Majesty the Queen.

IV. Provided nevertheless that if the said Edward Hunt his executors administrators or assigns shall not file a specification of the said invention with a correct copy thereof, in the Secretary's Office of this Island within three calendar months, after the passing of this Act, then this Act and all liberties and advantages whatsoever hereby granted shall utterly cease, determine, and become void, anything herein before contained to the contrary thereof notwithstanding.

Specification to be  
filed in the Colonial  
Secretary's Office  
within 3 Calendar  
months.



## LAWS OF BARBADOS.

## CAP. XI.

[Assented to 27th August, 1881.]

## BARBADOS.

*An Act to authorize the Governor in Executive Committee to raise a loan for the purposes of various public works in this Colony.*

## Preamble.

**W**HEREAS it is expedient that several important public works and buildings should be proceeded with and that other existing works and buildings should be completed or improved; And Whereas large sums of money will be required for these several purposes and it is desirable that such sums of money should be raised by way of a loan to be contracted on the credit of the Colony in the manner hereinafter provided; Be it therefore enacted by the Governor, Council, and Assembly of this Island and by the authority of the same as follows;

## Short Title.

I. This Act may be cited for all purposes as, "The Public Works Loan Act, 1881."

The Governor in Executive Committee may raise £45,000 by debentures.

II. It shall be lawful for the Governor with the advice of the Executive Committee in Executive Committee from time to time to raise, by the issue of debentures in the manner hereinafter mentioned, a sum of money not exceeding forty five thousand pounds for the purposes of the several public works mentioned in the schedule to this Act annexed. The said sum of money together with the sum of ten thousand pounds hereinafter mentioned, shall be apportioned and applied amongst the said public works in the manner and in the several amounts in the said schedule set forth.

Application of the said sum.

## SESSION OF 1881-'82.

III. All debentures to be issued under the authority of this Act shall be in such form and for such amounts as may from time to time be prescribed by the Governor in Executive Committee, and shall be signed by the Colonial Treasurer in his own proper handwriting and shall be countersigned by the Auditor General or the person discharging the duties of that office, and no debenture shall entitle the holder thereof to claim payment thereof from the Colony unless the same shall be in the prescribed form and shall be signed and countersigned as aforesaid. **Form of debentures.**

IV. The debentures for the said loan shall bear interest at a rate not exceeding five pounds per centum per annum. A further sum of ten thousand pounds is hereby appropriated from the General Revenue to be drawn from the Public Treasury on the warrant of the Governor-in-Council, for the purposes of the said works. **Interest on debentures.**

£10,000 to be drawn from the Treasury in addition to the £45,000.

V. It shall not be lawful to raise any portion of the said sum of forty five thousand pounds or to draw from the Treasury any part of the said sum of ten thousand pounds until a written statement signed by the Governor in Executive Committee shall have been laid before the two Houses of the Legislature specifying for which of the said public works the portions about to be raised or drawn of the said sums respectively, are required: and until the plans and specifications of the public work so specified shall also have been laid before the two Houses of the Legislature and they shall have passed a resolution authorising the expenditure of the said portions of the said sums respectively for the purpose of proceeding with the said public work in accordance with the said plans and specifications. **Conditions on which money may be raised or drawn and expended.**

## LAWS OF BARBADOS.

Payment of interest  
on debentures.

VI. The interest on all debentures issued under the authority of this Act shall be payable half yearly, namely, on the first day of January and on the first day of July in each year, out of the Public Treasury, and shall have preference over all other payments to be made out of the Public Treasury.

Redemption of debentures for £18,000.

VII. The debentures for the first eighteen thousand pounds borrowed under this Act shall be redeemable by annual drawings at the rate of two thousand pounds for each of the six years next after their issue, and at the rate of one thousand five hundred pounds for each of the four years then next succeeding.

Formation of a Sinking Fund.

VIII. The Governor in Executive Committee, shall from time to time, if authorized so to do by a resolution of the Legislature, set aside out of any surplus revenue of the previous year any sum or sums of money to form a sinking fund, provided the total amount paid into such sinking fund shall not exceed one thousand pounds for each year elapsed since the issue of the debentures. The sums so set aside from time to time shall be placed at interest by the Colonial Treasurer in the joint names of himself and the Auditor General, to the best advantage on such security as may be approved by the Governor in Executive Committee. At the expiration of twenty years from their issue debentures corresponding in amount with the sinking fund as then existing shall be drawn for redemption. Provided always that no resolution under this section shall be introduced into the Assembly except on the authority of the Governor in Executive Committee.

Proviso.

## SESSION OF 1881-'82.

IX. The debentures which may remain due after the drawing mentioned in the last preceding section shall be redeemable by annual drawings not exceeding one thousand pounds in any one year until the whole of the said debentures shall be paid off and satisfied, but the Governor in Executive Committee shall be authorized, if he shall think fit, to issue new debentures of like amount with each drawing.

Redemption of remaining debentures.

X. No drawing for the redemption of any debentures to be issued under the authority of this Act shall be made until after one month's notice of such intended drawing shall have been given in the Official Gazette. The drawings shall take place at such times, in such manner, and under such supervision, as the Governor in Executive Committee shall direct. Immediately after each such drawing, the Colonial Treasurer shall publish in the Official Gazette the numbers of the debentures drawn, and such debentures shall cease to bear interest and shall be paid off on the next succeeding day fixed by this Act for the payment of interest on debentures.

Mode of drawing debentures.

XI. It shall be the duty of the Colonial Treasurer for the time being and he is hereby required to write the word "Cancelled" across every debenture called in and paid off under the authority of this Act immediately after such debenture shall have been delivered to him by the holder thereof, and to subscribe his name in his own proper handwriting below such word, and then to deliver every such debenture to the Auditor General or to the person discharging the duties of that office, who shall write

Cancellation of paid off debentures.

## LAWS OF BARBADOS.

his name in his own proper handwriting across every such cancelled debenture and then to re-deliver it to the Colonial Treasurer or, his lawful deputy to be his voucher for the payment thereof.

Assignment of debenture not to be valid until noted.

XII. No assignment or transfer of any debenture issued under the authority of this Act shall be of any force or validity so far as regards the payment of interest or for any other purpose until the same shall have been duly noted in a book to be kept for that purpose by the Colonial Treasurer.

Accounts to be kept for the purposes of the Act.

XIII. It shall be the duty of the Colonial Treasurer to keep separate books of account in respect of the loans to be raised under the authority of this Act, showing the moneys received, the moneys expended, the interest paid, the debentures paid off and all other matters of account relating to the said loans. All such books of account and all papers, and documents connected with the said loans and the expenditure of the moneys to be raised thereunder shall be subject to the examination and report of the Auditor General.

Annual statement of transactions under the Act to be laid before the Legislature.

XIV. The Governor shall cause to be laid before the Legislature as soon as possible after the close of each year a statement showing in detail the sums borrowed under the authority of this Act, together with the rate of interest thereon, the sums paid in discharge of debentures, the state of the sinking fund, if any, the sums of money expended, and the works on which they were severally expended, together with such further information as may be necessary to show what has been done under the authority of this Act.

## SESSION OF 1881-'82.

XV. All moneys received under the authority of this Act shall be paid into the Public Treasury and the same or any part thereof may be placed at interest or on investment by the Colonial Treasurer in the joint names of the said Colonial Treasurer and of the Auditor General on the direction of the Governor in Executive Committee, and all moneys required on account of the said loans for the purposes of the said public works or any of them shall be drawn from the Public Treasury on the warrant of the Governor-in-Council.

Disposition of moneys raised under the Act.

XVI. It shall be lawful for the Governor with the advice of the Executive Committee in Executive Committee to give all such orders and directions and to take all such proceedings as may be necessary for carrying into effect the purposes of this Act; provided that no such order, direction, or proceeding shall be repugnant to any of the provisions of this Act.

The Governor in Executive Committee to carry out the provisions of the Act.

Proviso.

XVII. It shall be lawful for the Governor with the advice of the Executive Committee in Executive Committee to expend a sum not exceeding three hundred pounds to defray all expenses incidental to the carrying into operation of the provisions of this Act, and a return shall be made to the Legislature of the money so expended, with the particulars thereof.

Expenses of carrying the Act into operation.

XVIII. The Public Revenue of this Colony shall at all times stand and be held as a pledge and security for the repayment of all sums of money for which debentures may be issued under the authority of this Act, and subject to the provisions in this Act contained, the repayment of such amounts shall have preference over all other payments to be made out of the Public Treasury of the Colony.

Sums raised under the Act to be a first charge on the Revenue of the Colony.



## LAWS OF BARBADOS.

Schedule.

## SCHEDULE.

1. For the New Lunatic Asylum	£24,150
2. For the enlargement of Glendairy Prison .....	12,260
X- 3. For the erection of Harbour Police Barracks .....	2,100
4. For the establishment of an Inland Telegraph .....	650
5. For providing a cattle enclosure near the Public Market.....	200
6. For the enlargement of the Public Market including Slaughter House and the purchase of Temple Yard.....	2,300
7. For a Reformatory.....	10,000
8. For the enlargement of the Lazaretto.....	1,000
9. Contingencies, including Lunatic Asylum Wall now under construction, and alteration of associated Cells in Lower Prison .....	2,340
	<hr/> £55,000 <hr/>

V.  
 \* Resolution granting sum not exceeding £2000, to purchase site for new Harbour Police Barracks

to be paid L.C. 15 July 84

£2000 1945.

## SESSION OF 1881-82.

## CAP. XII.

[Assented to 27th August, 1881]

## BARBADOS.

*An Act to repeal an Act of this Island of the ninth day of July one thousand eight hundred and sixty seven, entitled, "An Act to encourage the destroying of Rats in this Island."*

**W**HEREAS it is expedient to repeal the Act of the ninth day of July, one thousand eight hundred and sixty one, entitled, "An Act to encourage the destroying of Rats in this Island"; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

I. The Act of the ninth day of July one thousand eight hundred and sixty seven, entitled, "An Act to encourage the destroying of Rats in this Island," is hereby repealed, provided that such repeal shall not affect the past operation of the said Act.

Preamble.

Repeal of enactment.

## CAP. XIII.

[Assented to 31st August, 1881.]

## BARBADOS.

*An Act to amend the law with respect to the sale of goods and chattels distrained on, and of effects arising out of levies made by virtue of executions issuing from the Police Magistrates, Judges of the Petty Debt Courts, and Judges of the Assistant Court of Appeal.*

**W**HEREAS it is expedient to amend the law with respect to the sale of goods and chattels distrained on, and of effects arising out of levies made by virtue of executions issuing from the Police Magistrates, Judges of the Petty Debt Courts,

Preamble.

## LAWS OF BARBADOS.

and Judges of the Assistant Court of Appeal; Be it therefore enacted by the Governor, Council, and Assembly of this Island and by the authority of the same, as follows;

Place of Sale for  
goods distrained on  
or levied on.

I. All goods and chattels distrained on, (whether such distraint be for the recovery of rent, or rates, or taxes), and also all effects levied on by Police Officers or constables, by virtue of executions issuing from the Police Magistrates, Judges of the Petty Debt Courts, or Judges of the Assistant Court of Appeal, shall be sold at the Police Station of the District in which such distress shall be taken or in which the effects so levied on may be, by auctioneers to be appointed as hereinafter mentioned; and the removal of such goods and chattels and of such effects shall be at the cost of the person distrained on or person against whom the execution is issued; provided always that all goods and chattels so distrained on and all effects so levied on in the City of Bridgetown or within the limits of District A, shall be sold in the Public Market; and provided also that if the goods and chattels distrained on, or the effects levied on be of such a description as to deteriorate in value by the removal, they may, with the consent as well of the person distrained on, or person against whom the execution is issued as of the complainant or person distraining, and when such persons differ, at the discretion of the Auctioneer be sold on the spot where the same were taken or levied on.

Proviso.

The Governor may  
appoint an Auctioneer for each Police District.

II. For the purpose of selling goods and chattels distrained on and effects levied on by Police Officers or constables as aforesaid, it shall be lawful for the Governor on the passing of this Act and thereafter as vacancies may occur, to appoint an Auctioneer

## SESSION OF 1881-'82.

for each District, and such Auctioneers shall be paid by a commission of five per cent. on the amount realised by the sale of the goods and chattels distrained on, and of the effects levied on.

III. Every Auctioneer shall enter into bond to Her Majesty, her heirs and successors, in the case of the Auctioneer for the City of Bridgetown and District 'A', himself in the sum of one hundred pounds, and two sureties, to be approved of by the Governor-in-Council, in the sum of fifty pounds each, and in the case of the Auctioneers of the other Districts, himself in the sum of fifty pounds, and two sureties, to be approved of by the Governor-in-Council, in the sum of twenty five pounds each, for the faithful discharge of the duties of his office, and for the due disposal of all money for which he may sell any goods.

Each Auctioneer to enter into bond.

IV. Monday in every week throughout the year shall be the day of sale for all goods and chattels distrained on and all effects levied on by Police Officers and constables, as aforesaid, except when Christmas day shall fall on a Monday, or any Monday shall be set apart by proclamation for the performance of Divine Worship, and then and in such case, the sale day shall be the Tuesday of that week.

Monday in each week to be the day of Sale

V. It shall be the duty of every Auctioneer appointed under this Act to affix seven days at least before the day of sale, a notice in writing specifying the description of the goods and chattels distrained on, or effects levied on, the person from whom the same were taken, and the hours within which the sale will take place, at the Police Station where the same are to be sold, or in the case of Bridgetown and District A at

Auctioneer to set up Notices relating to Sale of Goods.

## LAWS OF BARBADOS.

the Public Market ; and where the goods, chattels, or effects are to be sold on the spot where the same were taken or levied on, he shall in addition thereto affix a copy of such notice on the goods and chattels or effects in question for the immediate information of the persons in the neighbourhood thereof.

Auctioneer may  
postpone Sale.

VI. Where the Auctioneer is unable to obtain a reasonable price for any article exposed for sale, he may postpone the sale until the next sale day ; and in case of any such postponement, he shall renew the notices required by the last preceding section.

Distribution of pro-  
ceeds of Sale.

VII. The Auctioneer shall, out of the proceeds arising from the sale of any goods and chattels distrained on or effects levied on, in the first place deduct the commission hereinbefore allowed him, and pay to the Police Officer, Constable or person who distrained or levied, the costs of any removal of such goods, chattels or effects, and also in the case of live stock, the expenses of keeping the same, pending the sale thereof, (such expenses not to exceed those specified in Schedule A of this Act). In the case of a sale of goods and chattels distrained on he shall within seven days after the sale, further pay to the Constable or other person who levied the distress a fee of three shillings, and to the landlord the amount distrained for, and the overplus (if any), he shall pay to the owner. In the case of a sale of effects levied on under an execution, he shall within seven days after the sale pay into the Court out of which the same shall have issued the amount stated on the writ of execution together

## SESSION OF 1881-'82.

with the charges for issuing and levying the same, and the overplus, (if any), he shall pay to the owner.

VIII. Every Auctioneer appointed under this Act shall be supplied with counterfoil books properly numbered, to be issued from time to time from the Auditor General's Office in a form to be prescribed by the Governor, and shall upon the completion of every sale hand to the owner of the goods distrained on a copy of the counterfoil duly filled up and signed by him, and shall enter particulars of each sale, and of all receipts and payments on account of the sales effected by him under this Act in a book to be kept by him in a form to be prescribed by the Governor; and the said books and the blocks of the counterfoils, shall at all times be subject to the inspection of the Auditor General.

Auctioneer to use counterfoil books for purposes of Sale.

IX. Whenever any goods or chattels shall be distrained on for any rent or rates or taxes, the person levying such distress shall, within twenty four hours after, either leave at the chief mansion house or other most notorious place on the premises on which the said goods or chattels are distrained or personally serve on the tenant or owner of the goods or chattels distrained on a notice in the form prescribed by Schedule B to this Act annexed; and any distress which may be levied without notice being given as aforesaid shall be and the same is hereby declared to be illegal.

Notice to be given of goods distrained on.

X. Upon and after the passing of this Act the several Acts and parts of Acts mentioned and set forth in Schedule C, hereunto annexed, shall stand repealed to the extent therein specified.

Repeal of enactments

## LAWS OF BARBADOS.

## Schedule A.

## SCHEDULE A.

Charges for the keep of live stock per diem.

	£	s.	d.
Horses or Mules, each	0	1	0
Cattle or Asses, each	0	0	6
Hogs, Sheep or Goats, each	0	0	3

## Schedule B.

## SCHEDULE B.

*Notice of Distress [for Rent or Rates  
or &c., (as the case may be.)]*

To C. D. and all others whom it may concern

Take notice that I R. S. as Agent of and for A. B., Esquire, [your landlord, or Parochial Treasurer of , or (as the case may be)] have this day distrained on the premises [in your occupation or possession, (if the fact be so)] named in the inventory hereunto annexed, the [cattle] goods and chattels mentioned in the said inventory, for £ being the amount due to the said A. B. on the day of for [rent of said premises : or rates or (as the case may be)]: And unless you pay the said sum of £ with the charges of distraining for the same within [seven (in case of rates) ten (in the case of rent)] days from the service hereof, the said [cattle] goods and chattels will be sold according to law. *[If live stock or goods are removed mention the place thus,* "And take notice that the said [cattle or goods] have been removed to and are now at

Dated this . . . day of 18 .  
R. S.,  
Agent of A. B.  
[or A. B. of ]

Inventory of goods and chattels taken. (To be filled in with particulars above referred to).

31/8/87.

SESSION OF 1881-'82.

SCHEDULE C.

Schedule C.

No. of Act.	Title & date of Act.	Extent of Repeal.
✓ No. 207	An Act to regulate the sale of effects arising out of Levies made by virtue of executions issuing from Magistrates. 17th January 1850	
✓ No. 254	An Act for the more effectual securing the payment of Rent and preventing frauds by Tenants — 23rd December 1853.	The whole. Sections 3 & 4 and so much of the Schedule of costs and charges for Distress as relates to levying Distress, setting up Notice of Sale and selling effects.
✓ No. 404	An Act to regulate the levying of distress for Rates and the fees of Constables for same — 26th July 1864.	So much of the Schedule of costs and charges as relates to levying Distress, setting up Notice of Sale and Selling Effects
✓ No. 430	An Act to alter and amend an Act, entitled, "An Act to regulate the Sale of Effects arising out of levies made by virtue of executions issuing from Magistrates, 1850." — 5th June, 1866.	Sections 1 & 2

✓



## LAWS OF BARBADOS.

## CAP. XIV.

[Assented to 18th October, 1881.]

## BARBADOS.

*An Act to authorise the Vestry of the parish of Saint Philip in this Island, to sell certain lands in the said parish, called "Crowthers Land," and to borrow a sum of money, and with the money obtained thereby respectively, to make additions and improvements to the Almshouse in the said parish.*

## Preamble.

**W**HEREAS the Rector and Vestry of the said parish of Saint Philip have, by their humble petition to the Legislature of this Island, set forth amongst other things, that they had for sixty years and upwards been in possession, as the owners thereof, of a piece of land in the said parish adjoining "Sunbury" and "Carrington" plantations, usually called "Crowther's Land," containing about ten acres, and they had for many years, until quite recently, allowed poor widows of the parish to occupy the said land as tenants at will, free of rent; that they did not know when or how or upon what special trust, (if any), the Vestry of the said parish acquired the said land, and although they had endeavoured to ascertain this they had been unable to do so, and they regarded the land as belonging to them for the general uses of the parish; that they desired to sell the said land and apply the money which they might obtain by the sale thereof in making certain contemplated additions and improvements to the Almshouse in the said parish, situate on lands belonging to the parish near the "Ruby" plantation, and they thought they could make an early sale of the said land for about six hundred

## SESSION OF 1881-82.

pounds cash; that they estimated that about one thousand six hundred pounds would be required to make the contemplated additions and improvements to the said Almshouse, and the Almshouse would then be large enough to receive into its wards about one hundred patients requiring accommodation and medical relief; that they proposed to apply the money for which the said land might be sold, together with a sum of money which they desired to borrow as afterwards in the petition mentioned in making the required additions to the Almshouse with the necessary offices and improvements; that it would be impossible to raise so large a sum as the sum which the petitioners desired to borrow, all at once, by laying rates on the taxpayers of the said parish in addition to the rates usually laid for ordinary parochial purposes, and they proposed to borrow the sum which they required, in addition to the amount which they might obtain by the sale of the said land on the easiest and most convenient terms for the said parish and on such terms as would admit of the repayment of such sum by annual instalments extending over a series of years from any persons, bodies politic or corporate, willing to lend them the same. And the said petitioners prayed amongst other things that they might be authorized to sell the said land, called "Crowther's Land," for the best price that could be obtained for the same, and to convey the same to or vest the same in the purchaser or purchasers thereof, and with the proceeds to arise by the sale thereof, and the money to be provided in the manner in the said petition mentioned in making the contemplated additions and improve-

## LAWS OF BARBADOS.

ments to the said Almshouse ; and that they might be authorized to borrow from any persons, bodies politic or corporate, willing to lend them the same, a sum in the petition mentioned, such sum or sums to carry interest annually at a rate not exceeding six pounds per cent per annum until repaid and to be charged on the rates of the said parish and repaid thereout ; And Whereas it is deemed expedient to authorize the Vestry of the parish of Saint Philip to sell the said land and to borrow a sum of money not exceeding one thousand pounds to be raised and repaid as in this Act is provided, and with the money obtained by the sale of the land and the money which may be borrowed as aforesaid to make additions and improvements to the Almshouse in the said parish ; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same as follows ;

The Vestry of St. Philip's Parish authorised to sell Crowther's land in the said Parish.

I. The Vestry of the said parish of Saint Philip are hereby authorized to sell by public competition or private sale, either together or in separate lots as they shall think best for the highest cash price or prices that can be obtained for the same the said land called "Crowther's Land", in the said parish of Saint Philip ; and in submitting the said land or any part thereof to public competition, it shall be competent for the said Vestry to fix a reserve price and to reserve to themselves the power of withdrawing the said land or any part thereof from such competition if the upset-price or prices cannot be obtained ; provided nevertheless that the said Vestry shall not give less than thirty days notice by advertisement to be published in the Official Gazette, and in such other manner as they shall think fit, of their intention to sell

Proviso.

## SESSION OF 1881-'82.

the said land; and on the completion of any such sale and purchase the said Vestry shall give to the purchaser or purchasers of the said land or any part thereof, certificates of the terms particulars and conditions, (if any), of such sale and purchase, and immediately on the recording of such certificates in the Colonial Secretary's Office of this Island, the said land shall by virtue of this Act, and without any further conveyances or assurances stand vested in the purchaser or purchasers of the same, their, his, or her heirs and assigns respectively for estates of inheritance in fee simple.

Certificate of Sale  
and purchase.

II. The money arising from the sale of the said land shall be used and applied by the said Vestry so far as the same will extend in defraying the cost of making any additions to and improvements and alterations in the said Almshouse of the said parish which the said Vestry may think fit to make therein.

Application of pur-  
chase money.

III. It shall be lawful for the Vestry of the said parish of Saint Philip, and they are hereby authorised from time to time as they may require the same to borrow from any persons, bodies politic or corporate willing to lend them the same a sum or sums not exceeding one thousand pounds to be applied with the money to arise by the sale of the said land, in defraying the cost of making the contemplated additions and improvements to the said Almshouse with the necessary offices and such sum or sums so borrowed with interest thereon at a rate not exceeding six pounds per cent per annum shall be the first charge on the rates of the said parish until repaid.

The said Vestry au-  
thorised to borrow  
£1000 for the same  
purpose.

IV. For the purpose of repaying any sum or sums which may be borrowed as aforesaid

Repayment of the  
said loan.

## LAWS OF BARBADOS.

(not exceeding together the sum of one thousand pounds), the said Vestry are hereby authorised and required to lay a rate on the said parish in the year one thousand eight hundred and eighty two and each of the nine then next following years sufficient to pay an equal one tenth part of the sum or sums which may be borrowed with the interest annually becoming due in those years on the principal sum and any unpaid balances thereof, such rates to be laid in the usual manner and subject to confirmation or amendment in the usual manner.

Certificates to be given for sums borrowed.

V. When any sum or sums shall be borrowed as aforesaid the Chairman, Churchwarden and senior member of the said Vestry shall give to the persons, bodies politic or corporate, from whom any sum or sums may be borrowed, certificates showing the amount borrowed and the names of the persons with their proper additions, bodies politic or corporate, from whom borrowed, with the rate of interest thereon, and the times of payment of principal and interest. Such certificates shall not altogether exceed fifty in number, and shall be numbered and dated, and no certificate shall be issued for less than the sum of twenty pounds. The certificate shall be made in the words or to the effect in the Schedule A to this Act.

Entry of certificates.

VI. An entry or memorial of every such certificate containing the number and date thereof, and the names of the persons with their proper additions, bodies politic or corporate, to whom the same shall have been made, and of the sums borrowed, together with the rate of interest to be paid thereon and the years in which the sums mentioned in the several certificates are appointed to be paid shall, within fourteen days after the date

## SESSION OF 1881-'82.

thereof be entered in a book to be kept for that purpose by the Parochial Treasurer, which book may be perused at all convenient hours of the day by any persons interested in any certificate upon payment of a fee of sixpence to the Parochial Treasurer. All persons, bodies politic or corporate, to whom any such certificates shall have been made as aforesaid or who shall have been entitled to the money due thereon, may from time to time transfer their respective rights and interests therein to any other persons, bodies politic or corporate. Any transfer thereof shall and may be in the words or to the effect in the Schedule B. to this Act. Every such transfer shall be produced to the Parochial Treasurer of the said parish, who shall cause an entry or memorial to be made thereof in the same manner as of the original certificate, for which entry or memorial the Parochial Treasurer shall be paid such sum as the Vestry shall appoint not exceeding two shillings and sixpence; and after such entry made every transfer shall respectively entitle such assignee or his executors administrators and assigns to the full benefit thereof and payment thereon, and it shall not be in the power of any persons who shall have made such transfer to make void release or discharge the transfer, or any sum of money thereon due or thereby secured or any part thereof.

Transfer of certificates.

VII. No transfer of any certificate issued under the authority of this Act shall be of any force or validity so far as regards the payment of interest or for any other purpose until the same shall have been duly noted in the book to be kept for that purpose by the Parochial Treasurer.

No transfer to be valid until noted.

## LAWS OF BARBADOS.

Payment of interest  
and principal moneys  
named in certificates

VIII. On the day or respective days appointed in the said certificates for the payment of the interest on the principal moneys named therein the Vestry shall on demand pay through the Parochial Treasurer of the said parish at his office to the holders of the respective certificates such interest money, and on the day or respective days appointed in the said certificates for the payment of the principal moneys named therein, the said Vestry shall also on demand pay through the Parochial Treasurer at his office to the holders of the respective certificates the several amounts of principal moneys named therein respectively, together with all interest due or payable thereon, up to the day on which the principal moneys shall have been respectively made payable.

Interest to cease on  
day named for pay-  
ment of principal.

IX. From and after the day appointed in each certificate for the payment of the principal moneys named therein, all interest shall cease and determine in respect of the principal moneys named in such certificate, and that notwithstanding that payment of the principal moneys named in such certificate shall not have been made or demanded.

Receipts for pay-  
ment of interest.

X. Whenever any interest money shall be paid to any holder of a certificate on the principal moneys named in such certificate a receipt for such interest money shall be endorsed on such certificate and signed by the person or persons receiving such interest money, and a duplicate receipt for the interest shall at the same time be given by the same person to the Parochial Treasurer to be filed by him in his office; and every certificate shall together with the transfers thereof (if any), at the time of the payment of the principal moneys named in such certificate, together with all interest thereon as

Delivery up of cer-  
tificate.

## SESSION OF 1881-'82.

aforesaid, be delivered up to the said Vestry, or shall forthwith be by them cancelled or destroyed. Provided that if any certificates or transfers shall have been destroyed, lost or mislaid, the Vestry shall still pay the sums named in the certificates to the persons, bodies politic or corporate whom they may consider entitled to the same, upon being satisfied (at the cost of such persons, bodies politic or corporate), that such certificates have been destroyed or cannot be found, and upon receiving such sufficient guarantees of indemnity as they may think fit to require, or by their counsel learned in the law they may be advised to require.

Proviso.

XI. The said Vestry are hereby authorised and required to lay a rate at the same time that the annual rates are laid in the parish, for the purpose of meeting the costs and expenses of preparing and passing this Act, and for defraying all expenses incurred by them in carrying out the provisions of this Act.

Rate to be laid annually for the purposes of the Act.

XII. All acts, matters, and things authorised or necessary to be done or executed by the said Vestry under this Act, may be done and executed by the majority of the members of the said Vestry in Vestry assembled.

Quorum of Vestry for the purposes of the Act.

## SCHEDULE A.

*Certificate No.*

Schedule A.

The Vestry of the Parish of Saint Philip in the Island of Barbados, by virtue of an Act of the said Island passed in the year 1881 authorising the said Vestry, amongst other things, to borrow a sum of money to make alterations and improvements to the Almshouse in the said Parish.



## LAWS OF BARBADOS.

We, the Chairman, Churchwarden and senior member of the Vestry of the said Parish, do with the authority of the said Vestry hereby certify that the said Vestry have under the provisions of the said Act borrowed from A.B. of

the sum of twenty pounds, which sum has been paid to the said Vestry, and such sum is to be repaid at the Parochial Treasurer's Office in the said parish in the month of October in the year 18 , and is meanwhile to carry interest at the rate of per centum per annum, such interest to be paid in the month of October in every year at the Parochial Treasurer's Office in the said Parish.

Given under our hands this  
day of 18 .

## SCHEDULE B.

## Schedule B.

I, A.B. of do hereby transfer a Certificate, dated the day of 18 , made by the Vestry of the Parish of Saint Philip in the Island of Barbados, under the provisions of an Act of the said Island passed in the year one thousand eight hundred and eighty one, for securing the sum of twenty pounds and interest thereon, and the money thereby secured and all my right estate and interest in and to the same, to C.D., of his executors, administrators, and assigns, for value of him received.

Dated this day of 18

## SESSION OF 1881-'82.

## CAP. XV.

(Assented to 24th December, 1881.)

## BARBADOS.

*An Act to continue various expiring Laws.*

**W**HEREAS the several Acts mentioned in the columns one and two of the schedule to this Act annexed, are limited to expire at the times specified in respect thereof in column three of the said schedule; And Whereas it is expedient to continue such Acts for the times mentioned respectively in column four of the said schedule; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;

I. This Act may be cited for all purposes as, "The Expiring Laws Continuance Act, 1881."

II. The Acts mentioned in column one of the schedule to this Act annexed are hereby continued until and inclusive of the dates respectively specified in column four of the said schedule, and any enactments amending or affecting the enactments continued by this Act are also hereby in like manner continued; Provided nevertheless as to the Highways Act that the legislative grant of one thousand pounds which has been annually made from the Public Treasury to the Commissioners of Roads of the rural portion of the parish of Saint Michael, in aid of the funds provided for road purposes under section nine of the Act of the twenty fourth day of February one thousand eight hundred and sixty four, and the legislative grant of one thousand pounds which has been annually made from the Public Treasury to the Commissioners of Roads of the City of Bridgetown, under the same section of the same Act, in aid of the

Preamble.

*Repealed so far  
as regards the police act  
amending act of 1881  
police act of 1881  
fund act -*

*Table only of 1881-82*

*inter-repealing*

*Chapter -*

Short Title.

Acts mentioned in  
Schedule continu-  
ed in force.

Exception as to  
part of Highways  
Act.

## LAWS OF BARBADOS.

funds provided for road purposes of the City of Bridgetown, the same respectively shall be and are hereby withdrawn, and no such grants shall be made to the aforesaid Commissioners respectively for the year one thousand eight hundred and eighty two; And in continuing the said Act of the twenty fourth day of February one thousand eight hundred and sixty four that Act shall be read and taken as if the annual grants of one thousand pounds and one thousand pounds to be made respectively to the rural portion of the parish of Saint Michael and to the City of Bridgetown had been omitted.

III. Nothing in this Act contained shall revive any provisions of the Acts mentioned in the said schedule, which are not in force at the time of the passing of this Act.

This Act not to re-  
vive any part of  
any continued Acts  
not now in force.

48 Dec 30. 1881

an Act to amend the

introduced in the same

11/1/81 25 May 1881







## LAWS OF BARBADOS.

## CAP. XVI.

*(Assented to 24th December, 1881.)*

## BARBADOS.

*An Act to authorise the Vestry of the parish of Saint Andrew in this Island to raise a loan to enable them to provide two Houses for Curates in the said parish.*

## Preamble.

**W**HEREAS the Rector and Vestry of the said parish have by their humble petition to the Legislature of this Island prayed that they may be authorised to raise a loan of one thousand pounds to enable them to provide two Houses for Curates in the said parish, to be repaid at the rate of one hundred pounds per annum, with interest thereon; And Whereas it is deemed expedient to grant the prayer of the said petition; Be it therefore enacted by the Governor, Council, and Assembly of this Island and by the authority of the same as follows;

## Short Title.

I. This Act may be cited for all purposes as "The Saint Andrew's Parish, (Barbados), Loan Act, 1881."

Vestry of St. Andrew's Parish authorised to raise by loan on the security of the Parish rates, any sum or sums not exceeding £1,000.

II. It shall be lawful for the Vestry of the said parish of Saint Andrew and they are hereby authorised from time to time as they may require the same, to borrow from any person, bodies politic or corporate, willing to lend them the same a sum or sums of money not exceeding one thousand pounds to be applied by them in providing by purchase or otherwise, two Houses for Curates in the said parish with the necessary out buildings and offices thereto respectively, and the sum or sums so borrowed with interest thereon at a rate not exceeding six pounds per centum per annum shall be the first charge on the rates of the said parish until repaid.

## SESSION OF 1881-'82.

III. For the purpose of repaying any sum or sums which may be borrowed as aforesaid (not exceeding together the sum of one thousand pounds), the said Vestry are hereby authorised and required to lay a rate on the said parish in the year one thousand eight hundred and eighty two and each of the nine then next following years sufficient to pay an equal one tenth part of the sum or sums which may be borrowed with the interest annually becoming due in those years on the principal sum and any unpaid balances thereof; and such rates are to be laid in the usual manner and are to be subject to confirmation or amendment in the usual manner.

A special rate to be laid for the repayment of such loans within ten years.

IV. When any sum or sums shall be borrowed as aforesaid the Chairman, Churchwarden and senior member of the said Vestry in Vestry assembled shall give to the persons, bodies politic or corporate from whom any sum or sums may be borrowed, certificates showing the amount borrowed, and the names of the persons with their proper additions, bodies politic or corporate from whom borrowed with the rate of interest thereon and appointing the times and the place of payment of principal and interest; which times and place of payment are to be as follows, namely, at the Parochial Treasurer's Office in the said parish in the month of October in the ten several years in which the rates to pay the said loan and the interest thereon are to be laid as aforesaid. Such certificates shall not altogether exceed fifty in number and shall be numbered and dated, and no certificate shall be issued for less than the sum of twenty pounds. The certificates shall be made in the words or to the effect in the schedule A to this Act.

Certificates to be given to the persons from whom under this Act any loan is obtained by the said Vestry.



## LAWS OF BARBADOS.

A memorial of every certificate given, to be entered in a book kept by the Parochial Treasurer for that purpose.

Transfer of certificates.

V. An entry or memorial of every such certificate containing the number and date thereof, and the names of the persons with their proper additions, bodies politic or corporate, to whom the same shall have been made, and of the sums borrowed, together with the rate of interest to be paid thereon and the month in each year and the years in which the sums mentioned in the several certificates are appointed to be paid shall, within fourteen days after the date thereof, be entered in a book to be kept for that purpose by the Parochial Treasurer of the said parish, which book may be perused at all convenient hours of the day by any persons interested in any certificate upon payment of a fee of sixpence to the Parochial Treasurer. All persons, bodies politic or corporate, to whom any such certificates shall have been made as aforesaid or who shall have become entitled to the money due thereon, may from time to time transfer their respective rights and interests therein to any other persons, bodies politic or corporate. Any transfer thereof may be in the words or to the effect in the schedule B to this Act. Every such transfer shall be produced to the Parochial Treasurer of the said parish, who shall cause an entry or memorial to be made thereof in the same manner as of the original certificate, for which entry or memorial the Parochial Treasurer shall be paid such sum as the Vestry shall appoint not exceeding two shillings and sixpence. After such entry made every transfer shall respectively entitle such assignee or his executors administrators and assigns to the full benefit of the certificate and payment thereof, and it shall not be in the power of any persons, bodies politic or corporate who shall have made such transfer to make void

## SESSION OF 1881-'82.

release or discharge the transfer, or any sum of money thereon due or thereby secured or any part thereof.

VI. No transfer of any certificate issued under the authority of this Act shall be of any force or validity so far as regards the payment of interest or for any other purpose until the same shall have been duly noted in the book to be kept for that purpose by the Parochial Treasurer.

No transfer to be valid until noted in the abovementioned book.

VII. On the day or respective days appointed in the said certificates for the payment of the interest on the principal moneys named therein the Vestry shall on demand pay through the Parochial Treasurer of the said parish at his office to the holders of the respective certificates such interest money, and on the day or respective days appointed in the said certificates for the payment of the principal moneys named therein, the said Vestry shall also on demand pay through the Parochial Treasurer at his office to the holders of the respective certificates the several amounts of principal money named therein respectively, together with all interest due or payable thereon, up to the day on which the principal money shall have been respectively made payable.

Payment of interest on and principal of said loans.

VIII. From and after the day appointed in each certificate for the payment of the principal money named therein, all interest shall cease and determine in respect of the principal money named in such certificate, and that notwithstanding that payment of the principal money named in such certificate shall not have been made or demanded.

Loan not to carry interest after date fixed for payment of principal.

IX. Whenever any interest money shall be paid to any holder of a certificate on the principal money named in such certificate a receipt for such interest money shall be endorsed on such certificate and signed by the

Receipts to be given on payment of interest.

## LAWS OF BARBADOS.

and certificates to be cancelled on payment of principal.

**Proviso.**

person or persons receiving such interest money, and a duplicate receipt for the interest shall at the same time be given by the same person or persons to the Parochial Treasurer to be filed by him in his office; and every certificate shall together with the transfers thereof (if any), at the time of the payment of the principal money named in such certificate, together with all interest thereon as aforesaid, be delivered up to the said Vestry, and shall forthwith be by them cancelled or destroyed. Provided that if any certificates or transfers shall have been destroyed, lost or mislaid, the Vestry shall still pay the sums named in the certificates to the persons, bodies politic or corporate whom they may consider entitled to the same, upon being satisfied, (at the cost of such persons, bodies politic or corporate), that such certificates have been destroyed or cannot be found, and upon receiving such sufficient guarantees of indemnity as they may think fit to require, or may by their counsel learned in the law be advised to require.

Costs of obtaining and carrying into execution this Act to be defrayed by a special rate.

X. The said Vestry are hereby authorised and required to lay a rate at the same time that the annual rates are laid in the said parish, for the purpose of meeting the cost of preparing and passing this Act, and for defraying all expenses incurred by them from time to time in carrying out the provisions of this Act.

A majority of the Vestry may exercise all powers given to the Vestry by this Act.

XI. All acts, matters, and things authorised or necessary to be done or executed by the said Vestry under this Act, may be done and executed by the majority of the members of the said Vestry in meeting assembled.

## SESSION OF 1881-82.

## SCHEDULE A.

*Certificate No.*

"The Saint Andrew's Parish, (Barbados),  
Loan Act, 1881."

We, the Chairman, Churchwarden and senior member of the Vestry of the said Parish, in Vestry assembled, do, with the authority of the said Vestry, hereby certify that the said Vestry have under the provisions of the said Act, borrowed from A.B. of

the sum of twenty pounds, which sum has been paid to the said Vestry, and such sum is to be repaid at the Parochial Treasurer's Office in the said parish in the month of October in the year 18 , and is meanwhile to carry interest at the rate of per centum per annum, and such interest is to be paid in the month of October in every year at the Parochial Treasurer's Office aforesaid.

Given under our hands this  
day of 18 .

## SCHEDULE B.

"The Saint Andrew's Parish, (Barbados),  
Loan Act, 1881."

I, A.B., of do hereby transfer a certificate, dated the day of 18 , made by the Vestry of the said Parish, under the provisions of the said Act, for securing the sum of twenty pounds and interest thereon, and the money thereby secured, and all my right estate and interest in and to the same, to C.D., of his executors administrators and assigns, for value of him received.

Dated this day 18 .

## LAWS OF BARBADOS.

## CAP. XVII.

*(Assented to 24th December, 1881.)*

## BARBADOS.

*An Act to make certain re-arrangements in the staff of the Customs Establishment.*

## Preamble.

**W**HEREAS it is expedient that the several grades and salaries of the Officers of the Customs Establishment should be re-arranged and that other changes should be made in respect of the said Establishment; And Whereas it is also expedient that the salary of the Keeper of the Petroleum Warehouse should be reduced on the occurrence of a vacancy in that office Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same as follows;

## Short Title.

I. This Act may be cited for all purposes as "The Customs Establishment Amending Act, 1881."

## Repeal of enactment.

II. Section one of the Act of the fifth day of May one thousand eight hundred and seventy four, entitled, "An Act to consolidate and amend the several Acts of this Island relating to the Customs Establishment," is hereby repealed, provided however that such repeal shall not affect the validity of any appointment made under and by virtue of the repealed enactment nor any vested interests acquired thereunder.

## Officers of the Customs Establishment and their salaries.

III. The Customs Establishment for the Port of Bridgetown in this Island shall consist of the following Officers at the respective annual salaries affixed thereto;

A Comptroller at	£600
A Landing Surveyor at	£350
One Landing Waiter at	£300
One Landing Waiter at	£240
Two Landing Waiters each at	£200

## SESSION OF 1881-'82.

Three Landing Waiters	
each at	£160
Three Landing Waiters	
each at	£100
A First Clerk at	£300
A Second Clerk at	£225
A Third Clerk at	£160
A Fourth Clerk at	£160

IV. The salaries of all Officers of the Customs Establishment shall be paid monthly from the Public Treasury on the warrant of the Governor in Council.

Salaries how paid.

~~In section six of the Act of the fourth day of October one thousand eight hundred and seventy, entitled, "An Act to regulate the storing of Petroleum and its products, and to provide suitable buildings for storing the same," instead of the words "an annual salary of one hundred and eighty pounds," there shall be substituted and read the words "an annual salary of one hundred and twenty pounds;" provided that this alteration shall not affect the person at present holding the Office of Keeper of the Petroleum Warehouse.~~

Keeper of Petroleum Warehouse Salary.

*Sec 4 of 10 repeals  
Act of 28.3.57*

VI. The Keeper of the Petroleum Warehouse shall be deemed to be to all intents and purposes an Officer of the Customs Establishment.

and position.

## LAWS OF BARBADOS

## CAP. XVIII.

*(Assented to 2nd January, 1882.)*

## BARBADOS.

*An Act to exempt Officers of Her Majesty's Army and Navy and certain other persons in Her Majesty's service, from the payment of parochial and highway taxes.*

## Preamble.

**W**HEREAS it is deemed expedient that Officers of Her Majesty's Army and Navy, who are stationed in this Colony for the benefit and protection thereof, and also certain other persons employed in Her Majesty's service, should be relieved from the payment of all parochial and highway rates and taxes; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;

Officers of the Army or Navy on full pay and officials paid wholly from Imperial funds exempted from paying certain rates and taxes.

I. From and after the passing of this Act all Officers of Her Majesty's Army and Navy on full pay, and all persons in Her Majesty's service whose income is entirely derived from Imperial funds, shall be and they are hereby exempted from the payment of all parochial and highway taxes and rates of every kind; provided that such exemption shall not extend to any rate or tax affecting any such Officer or person for the current parochial year.

Y

Repeal of prior enactment.

II. The Act of the twenty sixth day of June one thousand eight hundred and sixty seven, entitled, "An Act to exempt the Officers of Her Majesty's Army and Navy from the payment of taxes on their carriages and horses," shall be and the same is hereby repealed; provided that such repeal shall not affect the past operation of the said Act.

## SESSION OF 1881-'82.

## CAP. XIX.

*(Assented to 27th January, 1882.)*

## BARBADOS.

*An Act to vest the residence of the Bishop of the Anglican Church in this Island, commonly called "Bishop's Court," in the Executive Committee, and to provide for the repairs thereof.*

**W**HEREAS it is expedient that the residence of the Bishop of the Anglican Church in this Island, commonly called "Bishop's Court," should be vested in the Executive Committee, and that the said residence should be kept in a state of good repair at the public expense ; And Whereas it is also expedient that a certain portion of the land belonging to the said residence should be sold ; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows ;

Preamble.

I. Immediately on the passing of this Act the said place called Bishop's Court, lands, buildings and hereditaments, situate in the parish of Saint Michael in the said Island butting and bounding on lands of Erdiston, on lands of the Pine plantation, and on the Public Road, or however else the same may butt and bound, shall become vested for an estate of fee simple in the Executive Committee ; to be held by the said Committee however, solely as a place of residence for the Bishop of the Anglican Church in this Island for the time being.

The residence called "Bishop's Court" to be vested in the Executive Committee :

II. The Executive Committee shall always keep and maintain the said place in good and substantial condition, and the cost thereof shall be borne by the Public Treasury.

who shall keep it in repair at the expense of the Public Treasury.



## LAWS OF BARBADOS.

Power given to Executive Committee to sell certain lands now occupied with Bishop's Court.

III. The Executive Committee are hereby authorised, after having caused a proper survey to be made for the purpose to sell in one or more lots by public auction or private contract to such purchaser or purchasers as they shall think fit, under such conditions as they may think proper, and for such sum or sums as they shall think sufficient, such portion of land belonging to the said place as cannot conveniently be occupied as part of the grounds thereof, and on the completion of such sale or sales the said Committee shall give to the purchaser or purchasers a certificate of the terms, particulars, and conditions, if any, of such sale or sales, and immediately on the recording of such certificate in the Colonial Secretary's Office, the land mentioned in such certificate shall by virtue of this Act and without any further conveyance or assurance, stand vested in the said purchaser or purchasers, his or their heirs and assigns for an estate of inheritance in fee simple, subject however to the charge, and conditions if any, mentioned in such certificate. The proceeds of such sale or sales, after deducting therefrom all reasonable expenses, shall be paid into the Public Treasury for the uses of the Colony.

Short Title of Act.

IV. This Act may be cited for all purposes as, "The Bishop's Court Act, 1881."

1882 ?

✓

## SESSION OF 1881-'82.

## CAP. XX.

*(Assented to 3rd February, 1882.)*

## BARBADOS.

*An Act entitled An Act to grant an additional sum of money out of the Public Treasury, and to appropriate the same for the service of the year ending the thirty first day of December one thousand eight hundred and eighty one.*

**W**HEREAS the sum of money granted out of the Public Treasury by "The Appropriation Act (No. 2), 1881," for the service of the year has proved insufficient to meet the demands of such service, and it is deemed expedient to supplement the said sum by granting an additional sum out of the Public Treasury, and to appropriate the same in manner hereinafter mentioned; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;

Preamble.

I. This Act may be cited for all purposes as "The Supplementary Appropriation Act, 1881."

Short Title.

II. The Colonial Treasurer may issue out of the Public Treasury on the warrant of the Governor in Council and apply for making good the supply granted for the service of the year ending on the thirty first day of December one thousand eight hundred and eighty one, the sum of six thousand one hundred and seventy five pounds eleven shillings and four pence.

Grant of £6,175 11 4

III. The sum granted by this Act shall be deemed to have been granted on the first day of January one thousand eight hundred and eighty one, in addition to the sum granted by "The Appropriation Act (No. 2) 1881."

Date of grant.

## LAWS OF BARBADOS.

Appropriation of  
grant.

IV. The sum granted by this Act out of the Public Treasury for making good the supply granted for the purpose aforesaid is appropriated, and shall be deemed to have been appropriated as from the first day of January one thousand eight hundred and eighty one, for the purposes and services expressed in the schedule annexed hereto.

Schedule to form  
part of Act.

V. The schedule annexed hereto shall be deemed to be part of this Act in the same manner as if it had been contained in the body of the Act.

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SCHEDULE.

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Establishments.

HEAD 10.

Medical .....	£	102	7	6
Exclusive of Establishments,				

HEAD 1.

Civil.....	65	0	0
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HEAD 2.

Legislative .....	5	0	0
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HEAD 3.

Judicial .....	55	0	0
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HEAD 4.

Police .....	425	0	0
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HEAD 8.

Education...	1,400	0	0
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HEAD 9.

Public Library ...	195	0	0
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HEAD 10.

Medical .....	1,088	7	9
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HEAD 13.

Drawbacks .....	400	0	0
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HEAD 14.—WORKS & BUILDINGS.

Repairs .....	£403	16	8
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New Works.	829	10	7	1,288	7	8
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## SESSION OF 1881-'82.

## MISCELLANEOUS.

Redemption of Police } pensions ..... }	1000	0	0
Telegrams ..... }	206	8	10

Total ..... £6,175 11 4 ✓

## CAP. XXI.

(Assented to 3rd February, 1882.)

## BARBADOS.

*An Act entitled An Act to grant a sum of money out of the Public Treasury and to appropriate the same for the service of the year ending the thirty first day of December one thousand eight hundred and eighty two.*

**W**HEREAS it is deemed expedient to grant the sum of forty thousand two hundred and twenty pounds fourteen shillings and eight pence out of the Public Treasury for making good the supply granted for the service of the year ending on the thirty first day of December one thousand eight hundred and eighty two, and to appropriate the said sum in the manner hereinafter mentioned; Be it therefore enacted by the Governor, Council and Assembly of this Island and by the authority of the same as follows;

I. This Act may be cited for all purposes as "The Appropriation Act, 1882." Preamble.

II. The Colonial Treasurer for the time being may issue out of the Public Treasury on the warrant of the Governor-in-Council and apply for making good the supply granted for the service of the year ending the thirty first day of December one thousand eight hundred and eighty two the sum of forty thousand two hundred and twenty pounds fourteen shillings and eight pence. Short title.  
Grant of £40,220  
14s. 8d. out of Public  
Treasury.

## LAWS OF BARBADOS.

Date from which  
grant takes effect.

III. The sum granted by this Act shall be held to be granted on the first day of January one thousand eight hundred and eighty two.

Appropriation of  
sum granted.

IV. The sum granted by this Act out of the Public Treasury for making good the supply granted for the service aforesaid is appropriated and shall be deemed to be appropriated as from the first day of January one thousand eight hundred and eighty two for the purposes and services expressed in the schedule annexed hereto.

Schedule to be  
deemed part of Act.

V. The schedule annexed hereto shall be deemed to be part of this Act in the same manner as if it had been contained in the body of the Act.

## SESSION OF 1881-'82.

## ABSTRACT

Of the Schedule to which this Act refers.

*Appropriation of Grants.*

	£	s.	D.	£	s.	D.
Establishments . . . . .				2,017	0	0
Exclusive of Establishments—						
Head 1.—Civil.....	920	5	0			
Head 2.—Legislative.....	100	0	0			
Head 3.—Judicial.....	400	0	0			
Head 4.—Police.....	4,330	0	0			
Head 5.—Harbour Police	297	0	0			
Head 6.—Prisons .....	4,570	0	0			
Head 8.—Education.....	13,395	3	0			
Head 9.—Public Library	5	0	0			
Head 10.—Medical .....	4,682	10	0			
Head 12.—Interest .....	4	0	0			
Head 13.—Drawbacks ...	70	0	0			
Head 14.—Works and Buildings .....	4,634	0	0			
Head 16.—Rent.....	215	16	8			
Head 17.—Miscellaneous	4,580	0	0			
Total, exclusive of Establishments...				38,203	14	8
Grand Total.,....	£			40,220	14	8

## LAWS OF BARBADOS.

## SCHEDULE—PART I.

*Establishments.*

Schedule of sums granted to defray the several charges on account of Establishments herein particularly mentioned which will come in, in course of payment during the year ending on the thirty first day of December 1882.

Service,	Sums not exceeding.					
	£	s.	D.	£	s.	D.
<b>HEAD 2.—B.</b>						
For salaries of Officers of the Assembly.....	...			750	0	0
<b>HEAD 8.—</b>						
For the salary of the Mistress of the Girls' training School.....	...			120	0	0
<b>HEAD 10.—C.</b>						
For salaries and wages of members of the Staff of the Lunatic Asylum, and the branch Asylum at District 'B,' other than the Medical Superintendent.....	911	10	0			
For salaries and wages of the members of the Staff of the Lazaretto, other than the Surgeon, Superintendent, and Chaplain .....	235	10	0			
Total, Head 10.....	...			1,147	0	0
Total, Establishments			£	2,017	0	0

## SESSION OF 1881-'82.

## SCHEDULE—PART II.

*Exclusive of Establishments.*

Schedule of sums granted to defray the several charges, Exclusive of Establishments, herein particularly mentioned, which will come in, in course of payment during the year ending on the thirty first day of December 1882, namely ;

Service.	Sums not exceeding.					
HEAD 1.—CIVIL.	£ s. d.			£ s. d.		
a. For supply of Furniture for Government House.....	100	0	0½			
d. For Furniture and Contingent Expenses of the Auditor General's Office	10	0	0			
c. For wages of messenger, and contingencies of Public Works Office ....	27	10	0			
f. For Contingent Expenses of the Harbour Master's Office.....	10	0	0			
g. For special services, wages, and contingencies, of the Customs Department.....	355	15	0			
h. For wages, gas, water and contingencies at the Market .....	257	0	0			



## LAWS OF BARBADOS.

Service.	Sums not exceeding.		
<i>k.</i> For apparatus and contingencies of the Fire Brigade.....	100	0	0
<i>m.</i> For Flags and contingencies at Signal Stations .....	30	0	0
<i>o.</i> For Instruments for, and contingencies of the Inland Revenue Department ... ..	30	0	0
Total Head 1, Civil...			920 5 0
HEAD 2.—LEGISLATIVE.			
( <i>a.b.c.</i> ) For contingencies of the Legislative Departments .....	...		100 0 0
HEAD 3.—JUDICIAL.			
( <i>f. g.</i> ) For Constables' staves and fees, and contingencies of the Judicial Departments .....	300	0	0
( <i>h.</i> ) For Clerical assistance for the Bridge-town Magistrates .....	100	0	0
Total, Head 3, Judicial...			400 0 0

## SESSION OF 1881-'82.

Service.	Sums not exceeding.					
	£ s. d.			£ s. d.		
HEAD 4.—POLICE.						
For the support of the Police Department.....	...			4,330 0 0		
HEAD 5.—HARBOUR						
POLICE.						
For the support of the Harbour Police Department .....	...			297 0 0		
HEAD 6.—PRISONS.						
For the support of the Prison Department ...	...			4,570 0 0		
HEAD 8.—EDUCATION.						
To defray the Expenditure to be incurred under the Education Act, 1878..				13,395 3 0		
HEAD 9.—PUBLIC						
LIBRARY.						
For the contingent expenditure of the Public Library Department .....				5 0 0		

## LAWS OF BARBADOS.

Service.	Sums not exceeding.					
	£	s.	d.	£	s.	d.
<b>HEAD 10.—MEDICAL.</b>						
<i>c.</i> Lunatic Asylum.— For the support of the Lunatic Asylum .....	2,595	0	0			
<i>d.</i> Lazaretto.— For the support of the Lazaretto .....	1,900	0	0			
<i>e.</i> Board of Health.— For wages and contingen- cies ..... £100 0 0 For additional salary to Clerk ... .. 60 0 0						
Total, Board of Health...	160	0	0			
<i>f.</i> Poor Law Board.—						
For Messenger, furniture, and contingencies .....	27	10	0			
Total Head 10. Medical...				4,682	10	0
<b>HEAD 12.—INTEREST.</b>						
For payment of the dif- ference between the In- terest guaranteed on cer- tain sums by Act 174. sec. 27, and that allow- ed by the Colonial Bank, in which such sums are deposited .....	...			4	0	0

## SESSION OF 1881-'82.

Service.	Sums not exceeding,					
HEAD 13.—DRAWBACKS.	£	s.	D.	£	s.	D.
For payment to the Military Departments in lieu of drawback at the rate of £40 a year from 1st April 1881 to 31st December 1882, inclusive.....	...			70	0	0
HEAD 14.—WORKS AND BUILDINGS.						
A. For wages and contingencies of the Public Buildings.....	90	0	0			
B. For repairs and maintenance of buildings and other property of the Colony .....	3,300	0	0			
C. New Works—						
For constructing a Ceiling to the Assembly Room.....	464	0	0			
For the wall of the New Lunatic Asylum....	500	0	0			
For laying out the Fountain Garden	100	0	0			
Total New Works.....	1,064	0	0			

## LAWS OF BARBADOS.

Service.	Sums not exceeding.					
	£	s.	D.	£	s.	D.
D. Incidental Expenses—						
For salary of Ballast Yard Clerk.....£ 80 0 0						
For lighting Wharf.....100 0 0						
Total, Incidental Expenses	180	0	0			
Total Head 14, Works and Buildings.....				4,634	0	0
HEAD 16—RENT.						
For Rent of buildings occupied by various Departments of the Government .....				215	16	8
HEAD 17—MISCELLANEOUS.						
For a grant towards the United Service Home...	25	0	0			
For redemption of Police Pensions .....	2,000	0	0			
For cost of Parish Registers, and indexing and binding the same.....	55	0	0			
For cost of Telegrams sent on the Public Service...	300	0	0			

## SESSION OF 1881-'82.

Service.	Sums not exceeding.					
	£	s.	D	£	s.	D.
For advertising Liquor Licenses .....	25	0	0			
For Government Binding and Printing .....	1,600	0	0			
For Stationery for the use of the Public Departments .....	450	0	0			
For cost of badges for hawkers, boatmen, etc.	25	0	0			
This amount to be placed at the Governor's disposal for the service of the Colony .....	100	0	0			
Total Head 17.—Miscellaneous .....						
					4,580	0 0
Total Exclusive of Establishments .....				£	38,203	14 8

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## LAWS OF BARBADOS.

## CAP. XXII.

*(Assented to 23rd February, 1882.)*

## BARBADOS.

*An Act to further declare what proofs and authentications to deeds, wills and other writings proved and authenticated in the United Kingdom of Great Britain and Ireland, shall be sufficient evidence in the Courts of this Island of their due execution and authentication.*

## Preamble.

**W**HEREAS doubts have arisen as to whether deeds, wills and other writings proved by solemn declaration made in accordance with the provisions of an Act of the Imperial Parliament passed in the fifth and sixth years of the reign of His late Majesty King William the fourth, entitled shortly, "The Statutory Declaration Act, 1835," such declaration being declared to before a Commissioner to administer oaths in the Supreme Court of Judicature in England and duly certified to have been so proved by such Commissioner, are admissible as evidence in the Courts of this Island; And Whereas it is deemed expedient to remove such doubts; Be it therefore enacted by the Governor, Council and Assembly of this Island, and by the authority of the same as follows;

Deeds proved as required by "The Statutory Declaration Act, 1835," to be deemed sufficiently proved, although the declaration was made before a Commissioner to administer oaths in the English Supreme Court of Judicature.

I. All deeds, wills, and other writings proved either before or after the passing of this Act, in the United Kingdom of Great Britain and Ireland, by a solemn declaration made in accordance with the provisions of the said, The Statutory Declaration Act, 1835, such declaration purporting to have been declared to before a Commissioner to administer oaths in the Supreme Court of Judicature in England, and purporting to have been certified to have been so proved by

## SESSION OF 1881-'82.

such Commissioner under his hand, and having a statement in writing by such Commissioner attached to his signature on such certificate to the effect that he has no seal of office, shall be deemed sufficiently proved and authenticated, and be received as evidence, subject to all just exceptions in any cause, matter or suit, depending in any of the Courts of this Island; and the Judges and officers of such Courts shall take judicial notice of the same and of the signature of the Commissioner attached or subscribed to such deeds, wills or other writings.

II. This Act and the Act of the tenth day of May one thousand eight hundred and seventy nine, entitled, "An Act to declare what proofs and authentications to deeds, wills, and other writings proved and authenticated in the United Kingdom of Great Britain and Ireland, or in any of Her Majesty's possessions or Colonies, or in any foreign Country or State, shall be sufficient evidence in the Courts of this Island, of their due execution and authentication," shall be taken together and read as one Act.

This Act and that of the 10th May, 1879, to be read together as one Act.

## CAP. XXIII.

(Assented to 28th February, 1882.)

## BARBADOS.

*An Act to allay the apprehensions of holders of securities over sugar plantations in this Island, to restore confidence in such securities and to prevent vexatious and expensive suits in relation thereto.*

**W**HEREAS claims have recently been put forward by certain merchants

Preamble.



## LAWS OF BARBADOS.

and others against several plantations in this Island in the honourable Court of Chancery for this Island established; that the moneys whether secured against the said plantations or on open account, due to them from the proprietors of those plantations should be ranked by the Master of the said Court as the first liens against the said plantations to the exclusion of many of the secured creditors and to the injury of all the others; And Whereas by reason of such claims great anxiety and alarm have been engendered in the minds of persons having moneys invested on security over sugar plantations in this Island, as well as of persons who are proprietors of sugar plantations here; And Whereas no plantation here is or ever has been allowed to go into abandonment for the want of means to cultivate the same, because when a proprietor is unable from any cause whatever to continue the cultivation and management of his plantation it may be and usually is placed by a creditor under the care and control of the said Court of Chancery and the Receiver of such plantation appointed by the said Court finds no difficulty in obtaining money for carrying on the cultivation and management thereof until the same is appraised and sold under a decree of the said Court and such plantations are sometimes sold for more than the appraised value thereof; And Whereas such claims are not only entirely novel and unprecedented in this Island but are inconsistent with and repugnant to the system of real property security which has ever been in force here and can only be considered as an attempt to introduce and establish in this Island customs and practices which are totally unsuited to the circumstances

## SESSION OF 1881-'82.

of this Island and are also quite contrary to the law and established usage in this Island, the law of which, in regard to real estate and securities over real estate, has always been the same as the law of England except so far as has been otherwise provided by local enactments, and in accordance with this law real estate in this Island has been always for the most part of the same nature as real estate in England, capable of alienation, mortgage and charge in the same manner and to the same extent as real estate in England, thereby affording investments for capital which have always been considered sound and reliable, and have on that account been sought after with the same confidence as similar investments in England, no claims being allowed to go before and take precedence of older claims except only in the case of Receiver's accounts in Chancery, which accounts are under the control of and are checked by the said Court; And Whereas such claims would, if established, very much injure and in many instances entirely destroy present investments in real estate in this Island, altogether unsettling the basis upon which they have been made, and causing distress or ruin to some persons and inevitable loss to many others, and would besides occasion a serious depreciation in the value of real estate, inasmuch, as capital already invested in sugar plantations would be withdrawn and the introduction of fresh capital be deterred; and moreover such claims are altogether at variance with the principles which have governed the transactions between planters and merchants in this Island, according to which the debts due to merchants have been ranked as all other debts

**LAWS OF BARBADOS.**

have been—according to their priority of date—and have been allowed no special advantage, and these principles have been at all times fully recognised and admitted and acted upon as the records of the Chancery and other Courts from the earliest times of the Island show without any interruption; And Whereas merchants making advances to proprietors of plantations do so with either actual or constructive notice of the liens existing against the plantation for which or in respect of which such advances are made, and it has always been in the power and has always been the practice of merchants and all others to obtain full knowledge of such liens by reference to the record offices of the island to which they have easy access, and merchants in making advances to proprietors of plantations have done so by way of speculation as they would in any other mercantile transaction, with the hope of deriving profit and advantage therefrom; And Whereas all sums of money or claims secured by mortgage, judgment, decree in Chancery, charge by will or other recognised mode of charging real estate have always been from time immemorial and are still ranked and placed by the Courts of this Island in a due course of classification and in priority the one to the other according to the date on which each security or charge was created or came into operation, and all such securities and charges have in like manner been placed and ranked in priority to all debts on open account, whether due to merchants or other persons; And Whereas owing to the general anxiety and alarm which have been engendered confidence in securities over sugar plantations in this Island has been greatly shaken,

## SESSION OF 1881-'82.

and investments on security over such sugar plantations have been arrested, and it is of the utmost importance for the well being and prosperity of the Island that all apprehension and distrust should be removed as soon as possible and that the minds of the inhabitants and others interested in the Island should be quieted and confidence restored in the recognised securities over sugar plantations, and that for this purpose an Act should be passed; Be it therefore enacted by the Governor, Council and Assembly of this Island, and by the authority of the same, as follows;

I. The claims and demands of merchants and other persons against proprietors of sugar plantations and owners of land in this Island for moneys lent and advanced to such proprietors and owners respectively for any purpose or on any pretext or for plantation supplies or machinery, or on any other account whatever, so long as they remain unsecured and on open account, shall not be a lien or liens on the plantations of such proprietors or the lands of such owners respectively, and shall be placed and ranked along with all other debts on open account junior to all debts or claims secured against the plantations of such proprietors respectively or the lands of such owners by mortgage, judgment, decree in Chancery, charge by will or other recognised mode of charging real estate, and the claims and demands of such merchants and other persons against proprietors of plantations and owners of land as aforesaid for which securities affecting such plantations and lands respectively shall have been obtained, shall be placed and ranked against such plantations and lands along with other securities and charges which may affect the same plantations and lands

**Claims and demands of merchants, &c., against plantations to be ranked on open account.**

## LAWS OF BARBADOS.

respectively according to the date on which such security shall have been obtained or created, that is to say, prior and in preference only to such of the said securities and charges as may be of subsequent dates and junior to such of the said securities and charges as may be of prior dates; Provided nevertheless that priority may still be lost by neglect to record any deed conveying, mortgaging, or charging any land or real estate, in accordance with the provisions of section forty nine of the Act of the twenty seventh day of August one thousand eight hundred and fifty three, entitled, "An Act for the limitation of actions and suits relating to real estate, and the charges thereon, and for facilitating the transfer of property."

Not to preclude endeavour to establish claim to lien.

II. This Act shall not be construed so as to preclude any merchant or person who may conceive that he is entitled to any such lien as aforesaid for moneys lent and advanced prior to the passing of this Act for any of the purposes aforesaid from endeavouring to establish his claim to such lien in respect of such pre-existing advances in any Court or Courts of Law or Equity should he desire to do so; Provided always that any proceedings to be instituted by any such merchant or person for the purpose of endeavouring to establish any such claim as aforesaid must be commenced and prosecuted within the space of one year from the date on which this Act shall come into operation; Provided also that nothing in this Act contained shall be construed or taken to imply in any way whatsoever any doubt as to the invalidity in this Island of any such claims as those recited in the preamble of this Act to have been recently put forward in this Island or

## SESSION OF 1881-82.

as to the fact that no such lien as that called the consignees lien has ever existed or been recognized in this island.

III. This Act shall not come into operation until Her Majesty's pleasure thereon shall be known. Suspending Clause

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## CAP. XXIV.

(Assented to 3rd March, 1882.)

## BARBADOS.

*An Act entitled, An Act to provide for the repair and maintenance of the Highways of the City of Bridgetown and of the rural portion of the parish of Saint Michael.*

WHEREAS the House of Assembly has by address represented to the Governor that the Highways of the City of Bridgetown and the parish of Saint Michael are in bad condition, and that it is advisable that the said Highways should under the special circumstances of the case be put in repair as speedily as possible; Be it therefore enacted by the Governor, Council, and Assembly of this Island and by the authority of the same, as follows;

I. The Governor is hereby authorised to appoint not less than three nor more than five persons qualified for the duty to be Commissioners (hereinafter called "the Highway Commissioners"), for putting the Highways of the City of Bridgetown and the rural portion of the parish of Saint Michael in repair, and maintaining them in repair during the period that this Act shall continue in operation.

Commissioners  
appointed by the  
Governor.

II. The person first named in any Commission or other writing issued or purporting to be issued by the authority of the Governor, shall be the Chairman of the Highway Commissioners.

Chairman—the  
first named.

## LAWS OF BARBADOS

**Powers of Commissioners to date from Commission, and Acts of majority to be valid.**

III. The powers and authority of the Highway Commissioners shall be in force from the day of the date of such Commission or other writing, and the acts of a majority of the Highway Commissioners passed at any meeting shall be valid so far as their powers and authority go, to all intents and purposes.

**Powers of Commissioners same as under Highways Act 1864.**

IV. The powers and authority of the Highway Commissioners shall be the same in all respects as those before the passing of this Act possessed and exercised by the Highway Commissioners of the City of Bridgetown and the rural portion of the parish of Saint Michael, by virtue of the Act of this Island passed on the twenty fourth day of February one thousand eight hundred and sixty four, entitled, "An Act to consolidate and amend the Law for the repair and improvement of the Highways (hereinafter called "the Highways Act, 1864")" constituting the said Highway Commissioners of the City of Bridgetown, and of the rural portion of the parish of Saint Michael; Provided however that the Governor-in-Council shall have power, and it shall be lawful for him to make, alter, and amend, from time to time as may be necessary, rules and regulations for the guidance of the Highway Commissioners, hereby authorised to be appointed, in the performance of their duties and the exercise of the powers and authority so as aforesaid appertaining to their office; and for the government of any Inspector, Superintendent, or other officer appointed or employed on salary in the repair, management, and direction of the roads and highways, subject to the provisions of this Act. Such rules and regulations so agreed upon in Executive Council, shall be published in the Official Ga-

**Governor in Council to make rules for guidance of Commissioners, Officers, and Servants.**

## SESSION OF 1881-'82.

and immediately on their publication shall have the same force as if they had formed part of this Act.

V. All officers necessary for the efficient carrying out of this Act shall be appointed by the Governor, with such salaries as he may in his discretion deem sufficient.

VI. No person in the public service receiving any pay or emolument from the Public Treasury shall be appointed a Commissioner or Inspector or to any other office under this Act.

VII. All officers appointed by the Governor under this Act, shall be subject to the lawful orders of the Highway Commissioners and shall be amenable to any rules and regulations made by the Governor-in-Council under this Act; and shall have and exercise any powers and authority which may be held to belong to any officer, servant, or employee of roads and highways, under the Highways Act, 1864, so far as the same refers to the City of Bridgetown and the parish of Saint Michael.

VIII. The moneys raised and granted by this Act shall be paid into the Public Treasury and transferred to a separate account in the Public Treasury to be called the "Highway Account," for the Parish of Saint Michael, which shall be kept by the Colonial Treasurer.

IX. The Highway Account shall be subject to audit by the Auditor General in the same manner as the other Public Accounts.

X. All moneys expended for the purposes of this Act shall be disbursed by the Colonial Treasurer from the Highway Account on the warrant of the Governor-in-Council.

**Appointment of Officers.**

**No Public servant receiving pay to be appointed to any office under Act.**

**Officers subject to Commissioners and amenable to rules and regulations.**

**Moneys for repairs of Highways to be paid into the Public Treasury on "Highway account."**

**Account to be audited.**

**Moneys expended on Warrant of Governor in Council.**



## LAWS OF BARBADOS.

**Grant from Public Treasury.**

**XI.** A sum not exceeding five thousand pounds is hereby granted from the Public Treasury to the Highway Account to be expended on the said highways during the present year so that they may be placed in good order with as little delay as possible.

**Parochial Treasurer to pay all moneys collected by him monthly to the Colonial Treasurer.**

**XII.** The Parochial Treasurer of the Parish of Saint Michael shall on the first Tuesday in each month pay over to the Colonial Treasurer, to be placed to the credit of the Highway Account, all sums from time to time collected by him under the Highways Act, 1864, and shall at the same time furnish to the Auditor General a return of the sums so paid to the Colonial Treasurer. And the Highway books in his custody as well as accounts connected therewith shall at all times during the continuance of this Act be accessible to the Highway Commissioners and Auditor General.

**Books and accounts accessible to Commissioners and Auditor General.**

**Topay all moneys in hand within one month to the Colonial Treasurer.**

**XIII.** The Parochial Treasurer and such other person as may within the current year have collected highway rates as clerk of the Road Commissioners of the Parish of Saint Michael shall within one month of the passing of this Act pay to the Colonial Treasurer, to be placed to the credit of the Highway Account all sums of money in their hands at the date of the passing of this Act which have been collected or received under the Highways Act, 1864, and shall at the same time furnish to the Auditor General a return of the sums so paid to the Colonial Treasurer.

**In the event of Parochial Treasurer declining to act Governor to appoint.**

**XIV.** In the event of the Parochial Treasurer of the Parish of Saint Michael declining to undertake the duties imposed on him by the Highway Act 1864, the Colonial Treasurer or some other person may be appointed by the Governor to perform the said

## SESSION OF 1881-'82.

duties, and the person so appointed, not being the Colonial Treasurer, shall enter into such obligation with such securities as if he were the Parochial Treasurer; and the Colonial Treasurer or other the person so appointed shall in respect of the said duties and functions and the duty imposed by the last preceding section of this Act have the same powers and authorities and be entitled to the same commission and be subject to the same responsibilities as if he were Parochial Treasurer.

XV. The Inspectors of Highways of the City of Bridgetown and of the Parish of Saint Michael appointed under the Highways Act, 1864, shall within one month of the passing of this Act hand over to the Highway Commissioners all the books of proceedings and books of account kept by them or prescribed to be kept by them under section twenty of the Highways Act, 1864, together with all vouchers for the expenditure of the moneys which may have come into their hands under the said Act.

Inspector under Act  
1864 to hand over  
Books and Vouchers.

XVI. The Auditor General shall as soon as possible after the thirtieth day of June and the thirty first day of December in each year furnish to the Governor a report on the financial condition of the Highway Account, which report shall be laid before the Legislature.

Financial report by  
Auditor General,  
half yearly.

XVII. All carts, tools, implements and other things belonging at the passing of this Act to the Commissioners of Highways for the City of Bridgetown and the parish of Saint Michael respectively, in their capacity as Commissioners of Highways, shall be delivered over by the said Commissioners of Highways together with an inventory of the same to such persons as shall be appointed to receive the same by the Highway Commissioners.

Carts, tools, imple-  
ments.

## LAWS OF BARBADOS.

Suspension clause.

XVIII. During the operation of this Act, the operation of the Highways Act, 1864, and of any Act or Acts which may or shall continue the same or any portion thereof in operation shall be and remain suspended so far as it relates to any of the following matters;

(1.) The appointment, powers and duties of Commissioners of Highways for the City of Bridgetown, or for the parish of Saint Michael.

(2.) The powers and duties of the Commissioners of Health for the parish of Saint Michael as Commissioners of Highways.

(3.) The appointment or salaries of the Inspectors of Highways for the City of Bridgetown, or for the parish of Saint Michael and the powers and duties of such Inspectors.

(4.) The grant of two annual sums of one thousand pounds each to the City of Bridgetown, and the rural portion of the parish of Saint Michael respectively in aid of the funds under the said Highways Act, 1864, provided for road purposes.

Title of Act.

XIX. This Act may be cited as "The Highways (St. Michael) Act, 1882."

This Act and Act 1864 to be read as one Act.

XX. This Act, and the Highways Act 1864, shall be read and taken together as one Act, and may be cited together as "The Highways Acts, 1864 and 1882."

Duration of Act.

XXI. This Act shall continue in force until (and inclusive of) the thirty first day of December, one thousand eight hundred and eighty four.

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## SESSION OF 1881-'82.

## CAP. XXV.

*(Assented to 10th March, 1882.)*

## BARBADOS.

*An Act to enable the Highway Commissioners of the parish of Saint John to pay an annual pension to John Henry Antrobus, from the Road Funds of the said parish.*

**WHEREAS** Walter Arthur Toppin, **Preamble.**

George Augustus Sealy, and Henry Francis Hart, Commissioners of Roads for the parish of Saint John in this Island, have presented a petition to the Legislature setting forth that John Henry Antrobus had been in the service of the said parish for a period of twenty six years, during twenty two of which he performed the duties of Inspector of Roads; that he had been compelled to resign his office through inability to perform efficiently the duties thereof; that he had recently handed to them a medical certificate, to the effect that he was suffering from an attack of apoplexy, which so impaired his mental and physical powers as to render him unfit for any occupation, and that consequently he was in straitened circumstances; and praying that the Legislature would pass an Act authorising them to pay him a small annual pension from the Road Funds of the said parish; And Whereas it is deemed right to grant the prayer of the said petition and to pass an Act for the said purpose; Be it therefore enacted by the Governor, Council, and Assembly of this Island and by the authority of the same, as follows;

I. From and after the passing of this Act, the Commissioners of Roads for the time being of the parish of Saint John shall be and they are hereby authorised and required to pay to the said John Henry Antrobus, out

Annual pension to be paid J. H. Antrobus, by the Road Commissioners of St. John.

## LAWS OF BARBADOS

of the moneys raised and levied from time to time in the said parish for the repair of the Highways of the said parish, an annual pension of twenty five pounds during the term of his natural life, commencing from the first day of January one thousand eight hundred and eighty.

## CAP. XXVI.

(Assented to 10th March, 1882.)

## BARBADOS.

*An Act to authorise the Vestry of the Parish of Saint George in this Island to sell two pieces of land in the parish, and to levy a tax in the parish, and with the money obtained thereby respectively to erect an Almshouse on a part of the Glebe land in the parish for the use of the parish.*

## Preamble.

WHEREAS the Rector and Vestry of the parish of Saint George have by their humble petition to the Legislature of this Island set forth that John Elliott, late of the said parish and Island, Esquire, by his will, dated the eighth day of October one thousand six hundred and eighty one, amongst other things, bequeathed unto the said parish of Saint George the sum of five hundred pounds, sterling, to be paid to the Vestry of the said parish for and towards the building of a free school in the said parish upon land laid out for that purpose, which school he desired his executors to erect and build with the said money within the space of six months next after his decease, (if not completed in his lifetime); and he bequeathed unto his brother Edward Elliott forty pounds, sterling money, to be paid to him yearly, during his natural life as by that his will he appointed, that was to

## SESSION OF 1881-'82.

say, he appointed his executors immediately after his decease to pay and deliver into the hands of the Vestry and Churchwarden of the said parish the sum of five hundred pounds, sterling, which sum being by them received, he desired them and their successors to pay to his said brother the forty pounds before given to him, during his natural life, and after the decease of his said brother be bequeathed the said sum of five hundred pounds or so much thereof as should be then remaining unto the said Vestry and Churchwarden for the use of the said parish forever towards building and erecting an almshouse in the said parish for the poor, which almshouse be appointed to be built and completed within one year after the decease of his said brother, and as to the quantity of land to be laid off for the building he left it to the discretion of the Vestry and Churchwarden of the said parish for the time being; that the said John Elliott died in the year one thousand six hundred and eighty one, without having altered or revoked his said will, and the same was after his death duly proved and recorded in the Secretary's Office of this Island; that Rowland Bulkeley, late of the said parish and Island, Esquire, by his will dated the sixth day of November one thousand six hundred and eighty six, after reciting, amongst other things that towards the building of a school house, in the said parish of Saint George there had been five hundred pounds allotted by Captain John Elliott, late of the said Island, deceased, by his will, which sum had been expended for the purpose aforesaid and was found too little, and that he (meaning himself the testator) also had expended a like sum on the school, he bequeathed for the preservation of the said school house a year-

## LAWS OF BARBADOS.

ly sum of twenty pounds current money of the said Island forever, to be issuing and payable out of his plantation in the said parish and yearly to be expended upon the repairs of the said school according to the discretion and appointment of his executors, and the testator also bequeathed a piece of land containing by estimation five acres whereon the said school then stood; that the said Rowland Bulkeley died in or about the year one thousand six hundred and eighty eight, without having altered or revoked his said will, and the same was after his death duly proved and recorded in the Secretary's Office of this Island; that the Vestry of the said parish had for a great number of years been possessed of a certain piece of land in the said parish, containing by estimation sixteen acres, bounding on lands of Salter's plantation, on lands of Lower Estate plantation, on lands of a place called Forster Lodge, and on a public road, the rents and profits whereof had of late years been applied by the said Vestry to educational purposes, but the said Vestry believe that the said land was obtained for almshouse purposes inasmuch as the rents thereof were entered in the old books of the parish as rents of almshouse lands, and Mayo's map of the Island showed buildings thereon and named them "Saint George's Almshouses"; and the said Vestry believed that the said land was obtained under the will of the said John Elliott for almshouse purposes; that they (the said Vestry) had for a great number of years been possessed of a piece of land in the said parish containing by estimation five acres, bounding on lands of Bulkeley plantation, on lands of Carmichael's plantation, and on a public road, the rents and profits whereof had been applied by the

## SESSION OF 1881-'82.

said Vestry towards educational purposes in the said parish, and they believed that the said land was the land obtained under the wills of the said John Elliott and Rowland Bulkeley or one of those wills for educational purposes ; that there were not any buildings on either of the said two pieces of land and they were desirous of disposing of the said two pieces of land and of applying the moneys that might be realised by the sale thereof, in or towards defraying the cost of erecting an almshouse and the necessary and proper offices and buildings thereto for the uses of the said parish ; that the said Vestry would upon the sale of the last hereinbefore described piece of land (that is the piece of land adjoining Bulkeley plantation), annually apply the interest and income of the money realized by the sale thereof, at the rate of six pounds per cent per annum for educational purposes in the said parish ; that the said Vestry expected that the said two pieces of land would realize on the sale thereof one thousand two hundred pounds or thereabout, and they estimated that it would cost about one thousand five hundred pounds to erect the almshouse and the offices and outbuildings ; that the said Vestry desired to erect an almshouse in the parish of Saint George for the accommodation of the indigent, sick, poor, and infirm of the said parish, and they had with the approval of the Rector of the said parish selected a part of the Glebe lands as a desirable site for the same, and for the purpose they would require one acre of the land, and the Rector of the parish was willing that the Vestry should have the required site in perpetuity at a yearly rental of three pounds six shillings and eight pence, pay able an-



## LAWS OF BARBADOS.

nually to the Rector for the time being for the said parish of Saint George for the use and occupation thereof, and the Vestry were willing to take an acre of the said Glebe land upon the terms mentioned ; and that they desired to raise any part of the cost of the almshouse and the offices and outbuildings (not exceeding five hundred pounds), which might not be obtained by the sale of the said two pieces of land by levying a tax or taxes from time to time as the money might be required upon the lands of the said parish of Saint George ; and the petitioners have in their said petition prayed that the Legislature of this Island would be pleased to pass an Act authorising them and their successors in office to sell the said two pieces of land and apply the moneys arising from the sale thereof in defraying the cost of erecting an almshouse and the necessary and proper offices and outbuildings in the said parish for the accommodation of the indigent and sick poor, and infirm of the said parish upon the site selected as aforesaid for the same, and providing therein that they and their successors in office should hold the said acre of land selected as aforesaid as the site for the almshouse in perpetuity at a rental as aforesaid and payable as aforesaid for the use and occupation of the said land ; and the petitioners desired that in the said Act it should be declared that they and their successors should hold the moneys arising from the sale of the said piece of land held by them for educational purposes, as aforesaid, as a loan to the said parish and should annually apply the interest and income thereof at the rate aforesaid for educational purposes in the said parish ; and further that the petitioners and their successors should be

## SESSION OF 1881-'82.

authorised to raise any sum which might be required for the erection of an almshouse and the offices and outbuildings, over and above the money realized by the sale of the said two pieces of land (not exceeding five hundred pounds), by levying a tax or taxes from time to time as the money might be required upon the lands of the parish of Saint George and otherwise in the usual way ; And Whereas it is deemed expedient to grant the prayer of the said petition ; Be it therefore enacted by the Governor, Council, and Assembly of this Island and by the authority of the same, as follows ;

I. The Vestry of the said parish of Saint George are hereby authorised to sell by public competition, in separate lots, as they shall think best, for cash prices, the two pieces of land in the said parish in the said petition in this Act recited, respectively mentioned and described, and the hereditaments and appurtenances thereto respectively belonging ; and in submitting the said pieces of land and premises to competition it shall be competent for the said Vestry, and they are hereby authorised to set up the same respectively for sale at certain prices to be fixed by them, and to reserve to themselves the power of withdrawing any sale thereof respectively, if the upset price or prices cannot be obtained ; provided nevertheless that the said Vestry shall not give less than thirty days notice by advertisement to be published in the Official Gazette, and in such other manner as they shall think fit of their intention to sell such pieces of land and premises ; and on the completion of any such sale and purchase the said Vestry shall give to the purchaser or purchasers of the said pieces of land and premises respectively,

Vestry of St. George's parish authorised to sell the two pieces of land mentioned in their said petition.

## LAWS OF BARBADOS.

certificates of the terms, particulars, and conditions, (if any,) of such sales and purchases, and immediately on the recording of such certificates in the Colonial Secretary's Office of this Island, the said pieces of land and premises respectively shall by virtue of this Act, and without any further conveyances or assurances stand vested in the purchaser or purchasers of the said pieces of land and premises respectively, their, his, or her heirs and assigns respectively for estates of inheritance in fee simple.

The moneys arising from such sale to be used to defray the cost of erecting an Almshouse.

II. The money arising from the sale of the said pieces of land and premises respectively shall be used and applied by the said Vestry so far as the same will extend, in defraying the cost of erecting the almshouse and buildings which the said Vestry are by this Act authorised to construct on a part of the Glebe land of the said parish of Saint George.

Vestry of the said parish authorised to take and hold one acre of the glebe land thereof for a term of 1,000 years at a yearly rent of £3 6 8.

III. For the purpose of carrying out the contemplated erection of an almshouse for the use of the said parish of Saint George the Vestry of the said parish are hereby empowered to take and hold one acre of the Glebe land of the said parish for the term of one thousand years commencing from the date of this Act at a yearly rental of three pounds six shillings and eight pence payable annually from the parochial funds of the said parish to the Rector for the time being of the said parish for the use and occupation thereof; and in order that the acre of land selected by the said Vestry for the said purpose may always be readily known and ascertained the said Vestry shall have a Plot of the land selected, which has been prepared by Mr. John Bovell Connell, a sworn surveyor of the said Island,

## SESSION OF 1881-'82.

and signed by the said surveyor and by a majority of the Vestry of the said parish (of whom the Rector of the said parish is one) recorded in the Colonial Secretary's Office of the said Island, immediately upon the passing of this Act and thereafter the said Vestry shall hold the said land separate and distinct from the remainder of the Glebe land of the said parish, and from thenceforth the said yearly rent of three pounds six shillings and eight pence shall be a perpetual charge upon the parochial funds of the said parish to be paid by the said Vestry in manner aforesaid.

IV. The said Vestry are hereby empowered to erect on the said acre of land to be taken by them as aforesaid from the Glebe land of the said parish a commodious almshouse with all necessary and proper out-offices for the uses of the said parish, large enough for the accommodation of the indigent and sick poor and infirm of the said parish, and capable of further enlargement and extension should the same become necessary.

And to erect an almshouse on the acre so taken as aforesaid.

V. The said Vestry shall, upon the sale of the said piece of land adjoining Bulkeley plantation hold the money realized by the sale thereof for educational purposes in the said parish, and until the application of the same by the said Vestry for such purposes the said Vestry shall annually apply the interest and income of such money at the rate of six pounds per centum per annum for educational purposes in the said parish, and the said money and the interest thereon until the same is paid shall be a charge on the parochial funds of the said parish.

Vestry of the said parish required to hold the money arising from the sale of the piece of land adjoining Bulkeley plantation for educational purposes

## LAWS OF BARBADOS.

Vestry authorised to raise by rates any sum not exceeding \$500 for the purpose of building the said almshouse.

and to lay a rate to defray the cost of preparing and carrying into execution of this Act.

A majority of Vestry to have the same powers as the whole

VI. To assist the said Vestry in defraying the cost of the erection of the said almshouse and buildings they are hereby authorised and required to lay a rate or rates on the said parish, in the usual manner, and subject to confirmation or amendment in the usual manner, at such time or times as they shall deem it fit and expedient to do so for a sum or sums not exceeding together five hundred pounds to be applied by them towards defraying the cost of the erection of the said almshouse and buildings. And in laying the rates for the same the Vestry shall endeavour to lay the same in the manner most convenient to the tax-payers of the said parish.

VII. The said Vestry are hereby authorised to lay a rate at the same time that the usual rates are laid in the parish for the purpose of meeting the cost and expenses of preparing and passing this Act, and for defraying all expenses incurred by them in carrying out the provisions of this Act

VIII. All acts, matters, and things authorised or necessary to be done or executed by the said Vestry under this Act may be done and executed by a majority of the members of the said Vestry in Vestry assembled.

## CAP. XXVII.

[ Assented to 22nd March, 1882. ]

## BARBADOS.

*An Act to authorise the Vestry of the Parish of Saint Joseph in this Island, to raise a loan to enable them to complete the repair and improvement to the Church of the said parish.*

**W**HEREAS the Vestry of the said parish of Saint Joseph, have by their humble petition to the Legislature of this Island,

## SESSION OF 1881-'82.

set forth that they have for some time past been engaged in the work of repairing and improving the Church of the said parish, and that the cost thereof had exceeded the sum at which they expected to be able to do the work; that they estimated that they would require a sum of five hundred pounds to enable them to complete the repair and improvement of the Church; that it would be impossible to raise so large a sum as the sum required all at once by laying rates on the taxpayers of the said parish, in addition to the rates usually laid for ordinary parochial purposes and rates required to be laid to repay loans of one thousand pounds and one thousand pounds, made by the Legislature in the years one thousand eight hundred and seventy eight and one thousand eight hundred and eighty respectively to them, which loans were to be repaid by successive annual instalments of one hundred pounds extending to the year one thousand eight hundred and ninety eight, and that they desired to borrow the sum which was then required in such manner and on such terms as would admit of their repaying the same by annual instalments extending over a series of years; And to enable them to raise the necessary amount in the easiest and most convenient manner for the parish, they were desirous of borrowing a sum not exceeding five hundred pounds from any persons or person, bodies politic or corporate, willing to lend them the same from time to time as they might require the same; And the petitioners in their said petition prayed that the Legislature would be pleased to pass an Act authorizing them to borrow from any persons or person, bodies politic or corporate, willing to lend them the same, from time to

## LAWS OF BARBADOS.

time as they might require the same, a sum not exceeding five hundred pounds, such sum or sums when borrowed to carry interest payable annually, at a rate not exceeding six pounds per centum per annum, until repaid, and to be charged on the rates of the said parish of Saint Joseph, and such sum or sums and interest thereon to be repaid out of the rates of the said parish, to be levied and collected each year in the following manner, that is to say, in the year one thousand eight hundred and eighty two the interest becoming due on the sum or sums which might be borrowed, and in the year one thousand eight hundred and eighty three and each of the four then next following years an equal fifth part of the sum or sums which might be borrowed with the interest annually becoming due in those years on the sum borrowed and any unpaid balances thereof for the time being remaining due or owing ; And Whereas it is deemed expedient to grant the prayer of the said petition ; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same as follows ;

## Title of Act.

I. This Act may be cited for all purposes as "The Saint Joseph's Parish, (Barbados). Loan Act, 1882."

Power to raise money  
on a loan and same  
to be first charge on  
rates.

II. It shall be lawful for the Vestry of the said parish of Saint Joseph and they are hereby authorised from time to time as they may require the same, to borrow from any person, bodies politic or corporate, willing to lend them the same a sum or sums of money not exceeding five hundred pounds to be applied by them in completing the repair and improvement of the Church of the said parish, and the sum or sums so borrowed with interest thereon at a

## SESSION OF 1881-'82.

rate not exceeding six pounds per centum per annum shall be the first charge on the rates of the said parish until repaid.

III. For the purpose of repaying any sum or sums which may be borrowed as aforesaid (not exceeding together the sum of five hundred pounds), the said Vestry are hereby authorised and required to lay a rate on the said parish in the year one thousand eight hundred and eighty two sufficient to pay the year's interest, (or the part of the year's interest, as the case may be), next becoming due on the sum or sums which may be borrowed, and in the year one thousand eight hundred and eighty three, and each of the four then next following years a rate sufficient to pay an equal one fifth part of the sum or sums which may be borrowed with the interest annually becoming due in those years on the principal sum and any unpaid balances thereof; and such rates are to be laid in the usual manner and are to be subject to confirmation or amendment in the usual manner.

Rates to be levied for repayment of loan.

IV. When any sum or sums shall be borrowed as aforesaid the Chairman, Churchwarden and senior member of the said Vestry in Vestry assembled shall give to the persons, bodies politic or corporate from whom any sum or sums may be borrowed, certificates showing the amount borrowed, and the names of the persons with their proper additions, bodies politic or corporate, from whom borrowed with the rate of interest thereon and appointing the times and the place of payment of principal and interest; which times and place of payment are to be as follows, namely, at the Parochial Treasurer's Office in the said parish in the month of October in the year one thousand

Certificates of amount borrowed to be delivered.

Place and time of repayment.



## LAWS OF BARBADOS.

Number of certificates.

Form of certificate.

Entry of certificate

Power to transfer.

Form of transfer.

Noting transfer.

eight hundred and eighty two, and in the month of October in the five several years next following in which the rates to pay the said loan and the interest thereon respectively are to be laid as aforesaid. Such certificates shall not altogether exceed twenty five in number and shall be numbered and dated, and no certificate shall be issued for less than the sum of twenty pounds. The certificates shall be made in the words or to the effect in schedule A to this Act annexed.

V. An entry or memorial of every such certificate containing the number and date thereof, and the names of the persons with their proper addition, bodies politic or corporate, to whom the same shall have been made, and of the sums borrowed, together with the rate of interest to be paid thereon and the month in each year and the years in which the sums mentioned in the several certificates are appointed to be paid shall within fourteen days after the date thereof be entered in a book to be kept for that purpose by the Parochial Treasurer of the said parish, which book may be perused at all convenient hours of the day by any persons interested in any certificate upon payment of a fee of six pence to the Parochial Treasurer. All persons, bodies politic or corporate, to whom any such certificate shall have been made as aforesaid or who shall have become entitled to the money due thereon, may from time to time transfer their respective rights and interests therein to any other persons, bodies politic or corporate. Any transfer thereof may be in the words or to the effect in schedule B to this Act annexed. Every such transfer shall be produced to the Parochial Treasurer of the said parish, who shall cause an entry or memo-

## SESSION OF 1881-'82.

rial to be made thereof in the same manner as of the original certificate, for which entry or memorial the Parochial Treasurer shall be paid such sum as the Vestry shall appoint not exceeding two shillings and sixpence. After such entry made every transfer shall respectively entitle such assignee or his executors administrators and assigns to the full benefit of the certificate and payment thereon, and it shall not be in the power of any persons, bodies politic or corporate, who shall have made such transfer to make void release or discharge the transfer, or any sum of money due thereon or thereby secured or any part thereof.

Assignee, his executors, &c., entitled to benefit of certificate and payment.

VI. No transfer of any certificate issued under the authority of this Act shall be of any force or validity so far as regards the payment of interest or for any other purpose until the same shall have been duly noted in the book to be kept for that purpose by the Parochial Treasurer.

Transfer not valid until noted.

VII. On the day or respective days appointed in the said certificates for the payment of the interest on the principal moneys named therein the Vestry shall on demand pay through the Parochial Treasurer of the said parish at his Office to the holders of the respective certificates such interest money, and on the day or respective days appointed in the said certificates for the payment of the principal moneys named therein, the said Vestry shall also on demand pay through the Parochial Treasurer at his Office to the holders of the respective certificates the several amounts of principal money named therein respectively, together with all interest due or payable thereon, up to the day on which the principal money shall have been respectively made payable.

Payment of interest and principal.

# LAWS OF BARBADOS.

After day for pay-  
ment of principal,  
interest to cease.

VIII. From and after the day appointed in each certificate for the payment of the principal money named therein, all interest shall cease and determine in respect of the principal money named in such certificate, and that notwithstanding that payment of the principal money named in such certificate shall not have been made through not having been demanded.

Receipt for interest.

IX. Whenever any interest money shall be paid to any holder of a certificate on the principal money named in such certificate a receipt for such interest money shall be endorsed on such certificate and signed by the person or persons receiving such interest money, and a duplicate receipt for the interest shall at the same time be given by the same person or persons to the Parochial Treasurer to be filed by him in his Office ; and every certificate shall together with the transfers thereof (if any), at the time of the payment of the principal money named in such certificate, together with all interest thereon as aforesaid, be delivered up to the said Vestry, and shall forthwith be by them cancelled or destroyed. Provided that if any certificates or transfers shall have been destroyed, lost or mislaid, the Vestry shall still pay the sums named in the certificates to the persons, bodies politic or corporate, whom they may consider entitled to the same, upon being satisfied, (at the cost of such persons, bodies politic or corporate), that such certificates have been destroyed or cannot be found, and upon receiving such sufficient guarantees of indemnity as they may think fit to require, or may by their counsel learned in the law be advised to require.

Proviso for loss of  
certificate or trans-  
fer.

## SESSION OF 1881-'82.

X. The said Vestry are hereby authorised and required to lay a rate at the same time that the annual rates are laid in the said parish, for the purpose of meeting the cost of preparing and passing this Act, and for defraying all expenses incurred by them from time to time in carrying out the provisions of this Act.

Power to lay rates to defray cost of Act.

XI. All acts, matters, and things authorised or necessary to be done or executed by the said Vestry under this Act may be done and executed by the majority of the members of the said Vestry in Vestry assembled.

Acts to be done by Vestry, may be done by majority.

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SCHEDULE A.

*Certificate No.*

"The Saint Joseph's Parish, (Barbados),  
Loan Act, 1882."

We, the Chairman, Churchwarden and senior member of the Vestry of the said Parish, in Vestry assembled, do with the authority of the said Vestry, hereby certify that the said Vestry have under the provisions of the said Act, borrowed from A.B, of the sum of twenty pounds which sum has been paid to the said Vestry, and such sum is to be repaid at the Parochial Treasurer's Office in the said parish in the month of October in the year 18 , and is meanwhile to carry interest at the rate of per centum per annum, and such interest is to be paid in the month of October in every year at the Parochial Treasurer's Office aforesaid.

Given under our hands this  
day of 18 .

## LAWS OF BARBADOS.

## SCHEDULE B.

"Saint Joseph's Parish, (Barbados)  
Loan Act, 1882."

I.A.B., of do hereby  
transfer a certificate, dated the  
day of 18, made by the Vestry of  
the said Parish, under the provisions of the  
said Act, for securing the sum of twenty  
pounds and interest thereon, and the  
money thereby secured, and all my right  
estate and interest in and to the same to  
C.D. of his executors adminis-  
trators and assigns, for value of him received  
Dated this day of 18.

## CAP. XXVIII.

(Assented to 24th March, 1882.)

## BARBADOS.

*An Act entitled, An Act to amend and consoli-  
date the law relating to the appointment  
and duties of weighers and gaugers.*

**W**HEREAS it is expedient to amend  
and consolidate the laws relating to  
the appointment of weighers and gaugers ;  
Be it therefore enacted by the Governor,  
Council, and Assembly of this Island, and  
by the authority of the same, as follows ;

Title of Act.

I. This Act may be cited for all pur-  
poses as "The Weighers and Gaugers Act,  
1882."

Governor to issue  
licenses.

II. It shall be lawful for the Governor  
from time to time to issue licenses to per-  
sons qualified to act as weighers and gau-  
gers for the several ports of this Island as  
hereinafter mentioned, that is to say ;

Number of weighers  
and gaugers.

Seven for Bridgetown.  
Three for Speightstown.  
One for Holietown.

## SESSION OF 1881-'82.

III. The three weighers and gaugers for Speightstown shall also act as weighers and gaugers for the shipping places called respectively Sherman's Bay, Six Men's Bay, and Reid's Bay.

IV. No person shall be eligible for the appointment of weigher and gauger unless he shall produce sufficient testimonials of good character, and shall also prove his competency for performing the duties of the office in the manner prescribed in any regulations in that behalf to be made as hereinafter provided; Provided nevertheless that all persons holding office as weighers or gaugers prior to the passing of this Act, shall continue to perform the duties thereof respectively, and be exempted from the test of competency and limitation of age hereinafter provided for, but in all other respects shall be subject to the provisions of this Act; And nothing herein contained shall be so construed as to preclude any such weighers or gaugers from claiming to be subjected to such test as is provided for in this Act.

V. In case any weigher and gauger shall be unable from continued ill-health or from any other cause to perform his duties in an efficient manner, or shall be concerned in any way, directly or indirectly in the sale or purchase of any article weighed or gauged by him, the Governor may withdraw his license and issue a license to another person to be weigher and gauger in his stead. No person shall continue to be a weigher and gauger after attaining the age of seventy years.

VI. In case any complaint in writing shall be made against any weigher and gauger of neglect of duty or improper conduct, the Governor shall cause such com-

Weighers, &c., of Speightstown to act for Sherman's Six men's and Reid's Bays.

Character and competency,

Present officers exempt from test of competency, and limitation of age.

Present holders of office may claim to be tested.

Governor may withdraw licenses and issue others.

Limitation of age.

Neglect of duty or improper conduct.

## LAWS OF BARBADOS.

plaint to be investigated, and if he shall be satisfied on the evidence that such complaint is well founded he may cancel the license issued to such weigher and gauger.

Regulation to be made by Governor in Council, as to,

VII. Subject to the provisions of this Act, the Governor-in-Council may from time to time make regulations with respect to,

Test of competency.

(1.) The tests to be employed to prove the competency of any person to perform the duties of weigher and gauger before being appointed to the office and;

Other matters for carrying out Act.

(2) All other matters relating to the efficient carrying out of the provisions of this Act.

Any regulation may be altered, &c.

Any such regulation may be altered amended, or annulled by a subsequent regulation. All such regulations, original or otherwise, shall be published in the Official Gazette and thereafter shall have the force of law.

Regulations published in Gazette, and have force of law.

Fees.

VIII. The fees fixed by schedule A to this Act in respect of the weighing of packages and the gauging of any cask shall be paid by the person making application for the weighing or gauging of the same to the weigher and gauger entitled thereto, and in default of payment they may be recovered by such weigher and gauger from such person before any Police Magistrate in a summary manner as in case of servants' wages.

Method of gauging.

IX. The following provisions shall have effect with reference to the method to be employed in the gauging of casks in this Island;

The Barbados General Agricultural Society and the Commercial Hall may from time to time jointly certify to the Governor

## SESSION OF 1881-'82

what is, in their opinion, the correct method of gauging, and on the publication of such certificate in the Official Gazette, such method shall be deemed to be the only valid method of gauging for the purposes of this Act;

In case either of the said two bodies shall become non-existent or in case they shall not be able to agree on a certificate, the Governor in Executive Committee may from time to time certify under his hand, what is in his opinion, the correct method of gauging, and such certificate shall be published in the Official Gazette and become binding in the manner hereinbefore mentioned.

X. Every weigher and gauger shall give a certificate under his hand to the person for whom he may weigh or gauge, showing the weight of any package weighed by him, and the gauge and ullage of each cask gauged by him.

Certificates.

XI. If any person shall fraudulently forge or counterfeit the brand or mark on any package or cask of any weigher and gauger appointed under this Act, or shall fraudulently alter any such brand or mark every such person shall be liable on conviction upon the complaint of any person before any Police Magistrate, to a penalty not exceeding twenty five pounds for every cask or package so tampered with as aforesaid, or in default of payment to imprisonment with or without hard labour for any period not exceeding four months.

Forging or counterfeiting brand or mark.

XII. If any person licensed as a weigher and gauger under this Act shall fraudulently return a false weight or gauge of any cask or package or of the contents thereof weighed and gauged by him such weigher and

Officer returning false weight or gauge.



## LAWS OF BARBADOS.

gauger shall in addition to the withdrawal of his license on conviction thereof before a Police Magistrate be liable to a penalty not exceeding twenty five pounds, or in default of payment to imprisonment with or without hard labour for any period not exceeding four months.

Public weighing machine.

Weigher and gauger to provide weighing machine, rods, &c., and location of machine.

Acts repealed,

Proviso.

XIII. A public weighing machine shall be provided by the Executive Committee. Every weigher and gauger shall provide his own weighing machine and gauging rods. and the use of the public weighing machine and the location of the weighers and gaugers weighing machines shall be subject to such rules and regulations as may be framed by the Governor-in-Council for that purpose.

XIV. The Acts mentioned in schedule B. to this Act annexed are hereby repealed ; Provided that this repeal shall not affect,

- (1.) Anything duly done or suffered under the said Acts or any of them ; or
- (2.) Any right acquired or any penalty incurred under any of the said Acts.

## SCHEDULE A.

*Fees for gauging.*

For gauging each cask of molasses or rum .....	6d.
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*Fees for weighing.*

For weighing hogsheads, per hogshead	6d
For weighing puncheons	
or tierces .....	per puncheon 4d.
For weighing barrels	{ per barrel or package 2d.
and smaller packages.	
For weighing bags...	per bag 2d.
For weighing goods in bulk .....	{ per 100 lbs. 2d

## SESSION OF 1881-'82.

## SCHEDULE B.

~~242 84.~~  
903

Number of Act.	Title and date of Act.
✓ No. 29.	An Act for the better ascertaining the true and exact gauge and tare of cask. ✓ 1st September 1786.
✓ No. 84.	An Act to increase the number of gaugers for the Port of Bridgetown. ✓ 27th March 1835.
✓ No. 107.	An Act to authorise the appointment of a gauger for each of the shipping places called Sherman's Bay and Sixmen's Bay. ✓ 24th February 1838.
✓ No. 126.	An Act to authorise the appointment of weighing officers at the Shipping Ports of this Island. ✓ 13th August 1839.
✓ No. 184.	An Act to authorise the appointment of a gauger for the shipping place of Reid's Bay in the Parish of St. James. ✓ 2nd February 1847.
✓ No. 211.	An Act to repeal, so far as it relates to molasses, an Act of this Island entitled, "An Act for the better ascertaining the true and exact gauge and tare of cask." ✓ 17th July 1850."

242 3 22  
978

## LAWS OF BARBADOS.

Number of Act.	Title and date of Act.
No. 320.	An Act to authorise the appointment of an additional ganger for Speights Town, Sherman's Bay, Six Men's Bay and Reid's Bay. 29th April, 1858.

## CAP. XXIX.

*(Assented to 28th March, 1882.)*

## BARBADOS.

*An Act to authorise the Governing Body of Harrison College to borrow a sum not exceeding eight hundred pounds, and guaranteeing the payment of any sum so borrowed and the interest thereon.*

## Preamble.

**W**HEREAS the Governing Body of Harrison College have by their petition to the Legislature of this Island represented that they have reason to believe that if accommodation for boarders was provided at the College a greater number of boys would be sent to the institution; that under this belief they having in their hands certain money which had formerly been invested on security in this Island and it being absolutely necessary to repair the present Head Master's house at the College had decided to repair the said Head Master's house and to erect in connection therewith dormitories and suitable rooms for the reception of twenty boarders; and representing otherwise as in the said petition appears; and representing that a considerable portion of the work had been

## SESSION OF 1881-'82.

done, but to enable them to complete the work they would require a sum not exceeding eight hundred pounds; that they desired to borrow this sum from time to time as they might require it, and to enable them to do so they prayed that an Act might be passed authorising them from time to time as they should require the same to borrow a sum not exceeding eight hundred pounds, and also guaranteeing the payment of any sum or sums that might be so borrowed with interest thereon at the rate of six pounds per centum annually from the time or times the same might be so borrowed; And Whereas it is deemed expedient to pass an Act giving effect to the prayer of the said petition; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same as follows;

I. The Governing Body of Harrison College are hereby authorised and empowered to borrow for the purposes aforesaid from time to time as they may require it, from any person or persons, bodies politic or corporate, any sum or sums not exceeding in the whole the sum of eight hundred pounds.

Authority to borrow.

II. The Colonial Government hereby guarantees the payment of any sum or sums that may be so borrowed by the Governing Body of Harrison College under the authority and for the purposes of this Act not exceeding in the whole the sum of eight hundred pounds with lawful interest annually on any such sum or sums from the date or dates the same may be borrowed as aforesaid.

Government guarantee.

III. When any sum or sums shall be borrowed as aforesaid a certificate in the

Certificate of loan.

## LAWS OF BARBADOS.

Certificate transferable.

form of schedule A to this Act under the hand of the Chairman for the time being of the Governing Body of the College shall be given to any person or persons, bodies politic or corporate, lending the same, and such certificate shall be transferable and may be transferred to any other person or persons by indorsement in the same manner as bills of exchange and promissory notes.

Notice for repayment.

IV. Any person or persons, bodies politic or corporate, lending any money to the Governing Body of Harrison College on the security of this Act, or any transferee or assignee as aforesaid, requiring the payment of any money so lent and advanced shall give to the Governing Body of the College and to the Colonial Government twelve calendar months notice in writing that they require such payment to be made to them.

Government paying loan, lands and buildings of College charged with payment.

V. If the Colonial Government shall be obliged to pay the said sum of eight hundred pounds or any part thereof or the interest thereof or any part thereof hereby granted the lands and buildings of which the said Governing Body may be possessed for the purposes of the College shall be charged with and subject and liable to the payment of any moneys that may be so paid until the same shall be repaid.

Schedule.

#### SCHEDULE A.

This is to certify that A. B. of            has lent to the Governing Body of Harrison College the sum of            pounds for the purposes of the College under the authority of an Act of the Legislature of the Island of Barbados passed in the year one thousand eight hundred

## SESSION OF 1881-'82.

and eighty two, entitled, " An Act to authorise the Governing Body of Harrison College to borrow a sum not exceeding eight hundred pounds, and guaranteeing the payment of any sum so borrowed and the interest thereon," and that the said A. B. his executors administrators and assigns is entitled to the said sum of \_\_\_\_\_ pounds with lawful interest thereon payable annually from the \_\_\_\_\_ day of 188

Dated this \_\_\_\_\_ day of 188

Chairman of the Governing Body  
of Harrison College. ✓

## CAP. XXX.

(Assented to 28th March, 1882.)

## BARBADOS.

*An Act to grant a special annuity to George James Edwards, late Police Magistrate's clerk at District "E," in consideration of his long public services.*

**W**HEREAS the said George James Edwards hath by his humble petition to the Legislature of this Island represented that he filled the office of Police Magistrate's clerk at District "E," and Saint Peter's parish from the first day of October one thousand eight hundred and forty one to the thirtieth day of June one thousand eight hundred \_\_\_\_\_ Preamble.

## LAWS OF BARBADOS.

and eighty one—a period of thirty nine years and eight months; that from ill health and failure of eye sight he was obliged to resign his office on the thirtieth day of June one thousand eight hundred and eighty one; that at the time of the passing of the Act of the fifth day of November one thousand eight hundred and seventy making provision for a superannuation fund for public officers, he had been in office over twenty nine years, and that he was not in a position to pay the back per centage so as to enable him to take advantage of the provisions of that Act; that he had a wife and family dependant on him for support; that he is now over sixty one years of age, and has been in the public service nearly forty years, and that he has no private means; and the petitioner prayed that such relief might under the circumstances stated be granted to him as to the Legislature might seem meet; And Whereas it is deemed expedient to grant some relief to the petitioner in consideration of his long public services; Be it therefore enacted by the Governor, Council and Assembly of this Island, and by the authority of the same as follows;

Annuity of £25 payable monthly to George Edwards for life.

I. From and after the passing of this Act a special annuity of twenty five pounds to commence from the thirtieth day of June one thousand eight hundred and eighty one shall be paid to the said George James Edwards during his life from the Public Treasury, such part thereof as shall have accrued up to the last day of the month immediately preceding the date of the passing of this Act forthwith upon the passing of the Act, and thenceforth in monthly payments in like manner as payments are now made from the Public Treasury to public officers.

## SESSION OF 1881-'82.

## CAP. XXXI.

*(Assented to 28th March, 1882.)*

## BARBADOS.

*An Act to authorise and require the commissioners of roads for the parishes of Saint James and Saint Peter respectively, to take under their control and management a road leading from Lancaster plantation in the parish of Saint James to Rosehill plantation in the parish of Saint Peter.*

**W**HEREAS by an Act of the twenty fourth day of August one thousand eight hundred and seventy two, entitled, "An Act to enable certain persons to lay down a road from Lancaster plantation in the parish of Saint James to Rosehill plantation in Saint Peter's to invest them for the purpose with all necessary powers possessed by commissioners of roads under the Road Acts, and to aid the undertaking by a grant of money from the Public Treasury," all the powers and authorities which by the Act of this Island, dated the twenty fourth day of February one thousand eight hundred and sixty four, entitled, "An Act to consolidate and amend the laws for the improvement of the highways," and by any other Act or Acts of this Island relating to the highways were conferred upon the commissioners of roads, are conferred upon and vested in certain persons in the Act named for the purpose of enabling them to lay down a road from Lancaster plantation in the parish of Saint James to Rosehill plantation in the parish of Saint Peter, as fully and effectually to all intents and purposes as such powers were held, vested in, and exercised by the commissioners of roads of the said parishes, who or any three of them, were thereby appointed com- Preamble.



## LAWS OF BARBADOS.

missioners for the purpose of laying out and completing the said road and connecting it with the main roads in relation to it in the said parishes of Saint James and Saint Peter, and when the said road should have been fully completed the said commissioners were formally to deliver it to the respective commissioners of roads for the said parishes to be thereafter repaired and kept in order by them; And Whereas the persons named in the said Act under the powers and authorities conferred on them by the said Act acquired the lands necessary for the said road and laid out and commenced the road, but they have not completed the same and have not the means to do so, and it is deemed expedient to authorise and require the commissioners of roads for the parishes of Saint James and Saint Peter, respectively, to take under their control and management the said road; Be it therefore enacted by the Governor, Council, and Assembly of this Island and by the authority of the same, as follows;

**Commissioners for Saint James and Saint Peter to take over road.**

I. The commissioners of roads for the parishes of Saint James and Saint Peter respectively, are hereby authorised and required from and after the passing of this Act to take under their control and management the said road leading from Lancaster plantation in the parish of Saint James to Rosehill plantation in the parish of Saint Peter—the commissioners of roads for the parish of Saint James so much of the road as is in that parish, and the commissioners of roads for the parish of Saint Peter so much of the road as is in that parish.

**This Act and Act 24th February 1864. to be read as one.**

II. This Act and the said Act of the twenty fourth day of February one thousand eight hundred and sixty four, entitled, "An Act to consolidate and amend the laws for the

## SESSION OF 1881-'82.

improvement of the highways," and any other Act of this Island relating to the highways shall be taken and read together as one Act.

III. The said Act of the twenty fourth day of August one thousand eight hundred and seventy two, is hereby repealed; provided however, that this repeal shall not affect; **Repeal.**

- (1.) The past operation of the enactment hereby repealed, nor anything done or suffered under the enactment hereby repealed, nor, **not to affect,**
- (2.) any right, privilege, obligation or liability acquired, accrued, or incurred, under the enactment hereby repealed, nor, **not to affect**
- (3.) any investigation, legal proceeding, or remedy in respect of any such right, privilege, obligation, or liability as aforesaid, and any such investigation, legal proceeding and remedy may be carried on as if this Act had not been passed. **not to affect** ✓

## CAP. XXXII.

(Assented to 28th March, 1882.)

## BARBADOS.

*An Act to consolidate and amend the law relating to the storage and importation of petroleum.*

**W**HEREAS it is expedient to consolidate and amend the law relating to the storage and importation of petroleum; Be it enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows; **Preamble.**

*Preliminary.*

I. This Act may be cited for all purposes as, "The Petroleum Act, 1882." **Title of Act.**

## LAWS OF BARBADOS.

Meaning of "Petroleum"

II. In this Act and in the Trade Act, 1878, "petroleum" means kerosine oil, rock oil, Rangoon oil, Burmah oil, and all products of any of them; and any oil made from petroleum, coal, schist, shale, peat, or other bituminous substance; and in this Act "volatile petroleum" means such petroleum as gives off an inflammable vapour at a temperature less than eighty three degrees of Fahrenheit's thermometer to be ascertained in the manner mentioned in section twenty seven of this Act.

Meaning of "Volatile Petroleum."

*Storage.*

Warehouse.

III. The existing petroleum warehouse or such other building as may at any time be substituted therefor by authority of the Legislature, shall be used for the storage of petroleum in the manner hereinafter mentioned.

Warehouse vested in Governor in Executive Committee.

IV. The petroleum warehouse shall be vested in, and shall be under the care and control of the Governor in Executive Committee.

Excess of petroleum to be stored at Town Hall.

V. Should there at any time be a greater quantity of petroleum in the Island than can properly be stored in the petroleum warehouse, it shall be lawful for the Governor, upon such fact being brought to his notice by the Comptroller of Customs, to authorise such quantity of petroleum as cannot be properly stored in the petroleum warehouse to be stored within such part of the Town Hall premises being without the main building, as on the recommendation of the Comptroller of Customs the Governor shall consider best adapted for such purpose; and all the regulations which may at any time apply to the storage of petroleum in the petroleum warehouse shall at the same time apply, so far as is possible, to petroleum

Warehouse regulations to apply to Town Hall.

## SESSION OF 1881-'82.

stored in case of need in the Town Hall premises.

VI. It shall be lawful for the Governor to appoint from time to time as may be necessary, whenever a vacancy in the post occurs, a fit and proper person to be an additional officer of Customs to be employed as keeper of the petroleum warehouse at a salary at the rate of one hundred and twenty pounds a year: provided that the present keeper of the petroleum warehouse shall continue to be paid a salary at the rate of one hundred and eighty pounds a year so long as he holds the appointment.

On vacancy Governor to appoint an additional officer of Customs to be Keeper of Warehouse at a salary of £120 a year.

Present keeper to continue at £180 a year.

VII. The present keeper of the petroleum warehouse, and any officer appointed in future to be keeper of the petroleum warehouse, shall be to all intents and purposes an officer of Customs, and shall be subject to all and every the powers, authorities and provisions and shall have and enjoy all and every the privileges and immunities of the officers of the Customs Establishment.

Keeper to be officer of Customs.

VIII. The keeper of the petroleum warehouse, or in his absence such other officer of Customs as the Comptroller of Customs may from time to time appoint, shall take charge of the petroleum warehouse during office hours, and receive and deliver petroleum, and shall keep an account of all receipts and deliveries from the warehouse, in a book to be provided and kept at the warehouse for that purpose, and in such form as may be directed by the Comptroller of Customs; and the said book shall be balanced and made up monthly, and checked by the Landing Surveyor of the Customs or other authorised officer.

Keeper's duties.

IX. The charge for warehouse rent for petroleum in the petroleum warehouse shall

Warehouse rent.

## LAWS OF BARBADOS.

be as follows; per barrel of fifty gallons and under, at the rate of sixpence per barrel payable at the time of deposit in, and sixpence per barrel payable at the time of withdrawal from the warehouse; per case of ten gallons and under, at the rate of twopence per case payable at the time of deposit in, and twopence per case payable at the time of withdrawal from, the warehouse. These charges shall be collected and recovered in the same manner as the rent on goods stored in the Colonial Warehouse is collected and recovered.

**How collected.**

**Penalty for storing elsewhere than in Warehouse, except as herein provided.**

**Quantity to be kept by dealer.**

**Duty how charged.**

X. All petroleum imported into this island shall on the landing of the same, unless for immediate exportation, from quay or wharf on the day of landing, and all petroleum, the produce of this Island brought into the city shall be stored in the petroleum warehouse, and in no other part of the city except as herein provided, under a penalty for any and every breach of the provisions of this section, of twenty pounds; provided that it shall be lawful for any dealer in petroleum to pay duty on and to remove from the petroleum warehouse and to keep in any shop, store, or warehouse any quantity of petroleum, not being volatile petroleum, not exceeding two hundred gallons, if in metal cases, and fifty gallons if in wooden packages.

XI The duties on petroleum when cleared from the warehouse for home consumption, shall be charged upon the quantity ascertained at the actual time of delivery thereof, unless there is reasonable ground to suppose that any portion of the deficiency has been caused by illegal or improper means, in which case the Comptroller shall make such allowances only for loss as he may consider fairly to have arisen

## SESSION OF 1881-'82.

from evaporation or leakage, or other legitimate cause, and no duty shall be charged in respect of any deficiency in petroleum entered and cleared from the warehouse, unless the Comptroller has reasonable grounds to suppose that such deficiency or any part thereof has arisen from illegal abstraction.

XII. Each lot of petroleum stored in the petroleum warehouse shall be stored separately, and shall have a distinguishing mark, and be so packed that an account may be taken of the same as often as may be deemed necessary or expedient; and the owner of such petroleum or his agent shall have free access to the petroleum warehouse during office hours to examine and inspect the same, and to take all necessary precautions for preventing leakage and waste.

Distinguishing  
mark.

Owner to have  
access to Warehouse.

XIII. It shall be lawful for all persons having petroleum in the petroleum warehouse to transfer their right, title or interest therein to other persons, who shall have the same powers and liabilities in respect thereof as the original proprietors.

Transfer.

*Importation.*

XIV. It shall not be lawful to land in, or to import into this island or to attempt to land in or import into this island, any volatile petroleum; and any person offending against the provisions of this section shall be liable to a penalty not exceeding one hundred pounds, to be recovered on complaint before a police magistrate, and in default of payment to imprisonment for a period not exceeding twelve months; and one half of such penalty shall be payable to the informer, and one half into the treasury to the credit of the general revenue. Any petroleum so landed or imported or attempted to be

Penalty for landing  
volatile petroleum.

Petroleum forfeited  
how disposed of.

## LAWS OF BARBADOS.

As to petroleum in or on the way to the island before passing of Act.

landed or imported shall be forfeited and shall be disposed of by the Comptroller of Customs either by sale for exportation or by destruction of the same; and the proceeds of any sale for exportation made by the Comptroller of Customs under this section shall be paid into the public treasury to the credit of the general revenue; provided nevertheless that all petroleum imported into this Island before the passing of this Act, whether in bond or duty paid, and all importations of petroleum which shall have left any of the ports of the United States of America fifteen days before the passing of this Act, shall be permitted to be brought into consumption in this Island without being subjected to the tests hereinafter provided for in this Act.

Consignee to notify Comptroller arrival of petroleum who shall procure samples for testing.

XV. The consignee of any petroleum on board any vessel arriving in Carlisle Bay laden or partly laden with petroleum for importation shall within twenty-four hours (Sundays and holidays excepted), of such vessel's arrival notify the Comptroller of Customs of the arrival of the petroleum and of his intention to import the same and the Comptroller of Customs shall thereupon cause not less than three samples to be taken of each brand or quality of such petroleum and shall transmit such samples to the Island Professor of Chemistry or other person authorized by the Governor under this Act in that behalf in order that the same may be tested.

Professor of Chemistry to certify samples

XVI. Within twenty four hours, (Sundays and holidays excepted), of the receipt of such samples, the Island Professor of Chemistry or other authorized person as aforesaid shall test the same and shall certify to the Comptroller of Customs in the form prescribed by schedule A to this Act that the samples

## SESSION OF 1881-'82.

so tested by him do or do not (as the case may be), consist of volatile petroleum.

XVII. If the Island Professor of Chemistry or other authorized person as aforesaid shall certify that the samples do not consist of volatile petroleum the Comptroller of Customs shall communicate a copy of such certificate to the owner of the petroleum from which the samples have been taken and shall permit such petroleum to be brought on shore at such place as may be provided for that purpose and landed there and stored in the petroleum warehouse in the presence of an officer of Customs duly authorized for that purpose.

Petroleum landed if not volatile.

XVIII. If the Island Professor of Chemistry or other authorized person as aforesaid shall certify that the samples do consist of volatile petroleum, the Comptroller of Customs shall communicate a copy of such certificate to the owner of the petroleum from which such samples have been taken and such petroleum shall be considered to all intents and purposes to be volatile petroleum within the meaning of this Act.

Professor certifying volatile petroleum, same to be such within Act.

XIX. It shall be lawful for the Comptroller of Customs from time to time to cause samples to be taken of any petroleum stored in the petroleum warehouse which he may have reason to believe to be volatile petroleum whether samples of such petroleum have been already tested or not, and to transmit such samples to the Island Professor of Chemistry or other authorized person as aforesaid to be tested, and the Island Professor of Chemistry or other authorized person shall thereupon test such samples and shall certify to the Comptroller of Customs in the form prescribed by schedule A to this Act, that such samples

Comptroller may take samples from Warehouse to be tested.



## LAWS OF BARBADOS.

do or do not (as the case may be), consist of volatile petroleum.

**Volatile petroleum to be forfeited.**

XX. If the Island Professor of Chemistry or other authorized person as aforesaid shall certify that such samples do consist of volatile petroleum the Comptroller of Customs shall communicate a copy of such certificate to the owner of the petroleum from which such samples have been taken and such petroleum shall be considered to all intents and purposes to be volatile petroleum within the meaning of this Act and shall be liable to be forfeited and seized by the Comptroller of Customs, and disposed of under the provisions of section fourteen of this Act; provided however that should sufficient evidence be produced to satisfy the Comptroller that such petroleum as aforesaid has been purchased or received on consignment by the party holding it in bond, in ignorance of the fact that it was under the required test, he shall be permitted to export the same, provided he do so within twenty days from the date that the same is tested—otherwise this proviso to be void and of no effect.

**Petroleum under test purchased or received in ignorance of fact.**

**Owner dissatisfied with test how to proceed.**

XXI. If the owner of any petroleum certified to be volatile petroleum under sections eighteen or twenty of this Act shall be dissatisfied with the test made by the Island Professor of Chemistry or other authorized person under sections sixteen or nineteen of this Act, it shall be lawful for the owner of such petroleum within twelve hours of the receipt of the copy of the certificate from the Comptroller of Customs, to give notice to the Comptroller of Customs that he disputes the correctness of the test of the samples of such petroleum; and the owner of the petroleum

## SESSION OF 1881-'82.

may thereupon nominate any two of the persons authorised under this Act to test petroleum, to make another test of such samples.

XXII. If the two authorised persons nominated as aforesaid shall certify that such samples do not consist of volatile petroleum, the petroleum from which such samples shall have been taken, notwithstanding the provisions of sections eighteen and twenty of this Act, shall not be considered to be volatile petroleum within the meaning of this Act.

Persons under preceding section certifying not volatile petroleum, same not such within the Act.

XXIII. If the two authorised persons nominated as aforesaid shall certify that such samples do consist of volatile petroleum, the petroleum from which such samples have been taken shall be considered to all intents and purposes as volatile petroleum within the meaning of this Act, and the fees of the testers, together with the fees of the person who originally tested the same, shall be paid into the treasury by the person demanding the fresh test, and may be recovered from him on the complaint of the Colonial Treasurer or any person authorised by him in writing in that behalf before a police magistrate in the same manner as servants' wages.

Persons' names certifying volatile petroleum by whom fees paid.

How recovered.

XXIV. Whenever a vessel arrives at this Island laden or partly laden with petroleum for importation, and requiring quick despatch, it shall be lawful for the Comptroller of Customs, notwithstanding the provisions hereinbefore contained, to permit such petroleum to be landed and stored in the petroleum warehouse, under the supervision of an officer of Customs appointed for such purpose, in a part of the petroleum warehouse to be set apart for

Vessel with petroleum requiring quick despatch.

## LAWS OF BARBADOS.

the storage of petroleum landed under this section; and all petroleum stored under this section, in that part of the petroleum warehouse set apart under this section for the storage of petroleum landed from vessels requiring quick despatch, shall be liable to warehouse rent under section nine of this Act, and shall for the purposes of this Act, be considered as if it were on board the vessel from which it was landed but shall within twenty four hours, (Sundays and holidays excepted), after being stored, be dealt with accordingly under the provisions of this Act, affecting the testing and importation of petroleum, and all petroleum landed under the provisions of this section, if found to be under the required test may be exported under the authority of the proviso contained in section twenty.

**Persons authorized to test to be published in Official Gazette.**

XXV. Immediately on the passing of this Act and from time to time as may be necessary, the Governor shall cause to be published in the Official Gazette a list of persons authorised to test petroleum; and such persons shall on the publication of such list, be persons authorised to test petroleum under this Act.

**Fees.**

**Fees payable from Treasury.**

XXVI. Every person authorised to test petroleum under this Act, shall be entitled to receive a fee for testing samples of petroleum when called upon to do so, at the rate specified in schedule B. to this Act. Such fee shall be payable from the treasury in the usual manner on the certificate of the Comptroller of Customs.

**Temperature how tested.**

XXVII. The temperature at which petroleum gives off an inflammable vapour shall for the purposes of this Act be tested in the manner set forth in schedule C to this Act.

## SESSION OF 1881-'82.

*General provisions.*

XXVIII. It shall be lawful for the Governor in Council from time to time as may be necessary to make, alter and amend rules and regulations for the government of the petroleum warehouse, and for the regulation of the taking and keeping of samples of petroleum to be tested under this Act; and such rules and regulations shall be published in the Official Gazette, and shall thereupon have the force of law.

Rules and regulations.

XXIX. Nothing in this Act shall be held to apply to petroleum not used for burning and imported and kept stored in close glass bottles not exceeding eight ounces.

Petroleum not used for burning.

XXX. The Acts specified in schedule D to this Act are repealed to the extent in such schedule mentioned.

Repeal.

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### SCHEDULE A.

Schedule A.

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#### *Certificate of test of petroleum.*

I hereby certify, that I have tested the sample of petroleum marked No. \_\_\_\_\_  
forwarded to me to be tested at \_\_\_\_\_  
on \_\_\_\_\_ 18\_\_\_\_, and  
that such sample\* \_\_\_\_\_ consist of volatile  
petroleum within the meaning of the Petroleum Act 1882.

18\_\_\_\_ Signature.

\* 'does' or 'does not' as the case may be.

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### SCHEDULE B.

Schedule B.

*Fees payable to persons authorised to test petroleum.*

For testing each set of three samples ..... Ten shillings.

## LAWS OF BARBADOS.

## Schedule C.

## SCHEDULE C.

Mode of testing petroleum so as to ascertain the temperature at which it will give off inflammable vapour.

*Specification of the test apparatus.*

The oil cup consists of a cylindrical vessel 2 inches diameter 2 and 2-10ths inches height (internal), with outward projecting rim 5-10th inch wide  $\frac{3}{8}$  inch from the top and  $1\frac{1}{2}$  inch from the bottom of the cup. It is made of gun metal or brass (17 B.W.G.) tinned inside. A bracket consisting of a short stout piece of wire bent upwards and terminating in a point is fixed to the inside of the cup to serve as a gauge. The distance of the point from the bottom of the cup is  $1\frac{1}{2}$  inches. The cup is provided with a close fitting overlapping cover made of brass (22 B.W.G.) which carries the thermometer and test lamp. The latter is suspended from the side by means of trunnions upon which it may be made to oscillate; it is provided with a spout the mouth of which is 1-16th inch in diameter. The socket which is to hold the thermometer is fixed at such an angle, and its length is so adjusted that the bulb of the thermometer when inserted to its full depth shall be  $1\frac{1}{2}$  inches below the centre of the lid.

The cover is provided with three square holes, one in the centre 5-10th inch by 4-10th inch, and two smaller ones 3-10th inch by 2-10th inch close to the sides, and opposite each other. These three holes may be closed and uncovered by means of a slide moving in grooves and having perforations corresponding to those on the lid.

## SESSION OF 1881-'82.

In moving the slide so as to uncover the holes the oscillating lamp is caught by a pin fixed in the slide and tilted in such a manner as to bring the end of the spout just below the surface of the lid. Upon the slide being pushed back so as to cover the holes the lamp returns to its original position.

Upon the cover in front of and in line with the mouth of the lamp is fixed a white bead, the dimensions of which represent the size of the test flame to be used.

The bath or heated vessel consists of two flat-bottomed copper cylinders, (24 B.W.G. ; ) an inner one of 3 inches diameter and  $2\frac{1}{4}$  inches height, they are soldered to a circular copper plate (20 B.W.G.) perforated in the centre, which forms the top of the bath in such a manner as to enclose the space between the two cylinders, but leaving access to the inner cylinder. The top of the bath projects both outwards and inwards about  $\frac{3}{8}$  inch, that is, its diameter is about 6-8th inch greater than that of the body of the bath, while the diameter of the circular opening in the centre is about the same amount less than that of the inner cup cylinder. To the inner projection of the top is fastened by means of six small screws, a flat ring of ebonite, the screws being sunk below the surface of the ebonite to avoid metallic contact between the bath and the oil cup. The exact distance between the sides and bottom of the bath and of the oil cup is  $\frac{1}{2}$  inch. A split socket similar to that on the cover of the oil cup, but set at a right angle, allows a thermometer to be inserted between the two cylinders. The bath is further provided with a funnel and overplay pipe, and two top handles.

## LAWS OF BARBADOS.

The bath rests upon a cast iron tripod stand to the ring of which is attached a copper cylinder or jacket, (24 B.W. G.) flanged at the top and of such dimensions that the bath whilst firmly resting on the iron ring just touches on its projecting top the inward turned flange. The diameter of this outward jacket  $6\frac{1}{2}$  inches, one of the three legs of the stand serves as support for the spirit or gas lamp attached to it by means of a small swing bracket. The distance of wick-holder or gas-burner from the bottom of the bath is 1 inch.

The lamp if a spirit lamp is filled through the funnel. In both thermometers the capillary tube is widened at the top to prevent breakage through overheating. The line on the scale of the long bulb thermometer indicating 130 deg. is rendered conspicuous by being drawn across the whole width of the ivory back. In a similar manner the line indicating 73 deg. is specially marked on the second bulb thermometer.

Two thermometers are provided with the apparatus the one for ascertaining the temperature of the bath, the other for determining the flashing point. The thermometer for ascertaining the temperature of the bath has a long bulb and a space at the top. Its range is from about 90 deg. to 190 deg. Fahrenheit. The scale, (in degrees of Fahrenheit,) is marked on an ivory back fastened to the tube in the usual way. It is fitted with a metal collar fitting the socket, and the part of the tube below the scale should have a length of about  $3\frac{1}{4}$  inches measured, from the lower end of the scale to the end of the bulb. The thermometer for ascertaining the temperature of the oil is fitted with an ivory scale in a similar manner to the one

## SESSION OF 1881-'82.

described. It has a round bulb, a space at the top, and ranges from about 55 deg. to 150 Fah. It measures from end of ivory back to bulb  $2\frac{1}{4}$  inches.

The pendulum is two feet in length from the point of suspension to the centre of gravity of the weight.

NOTE—A model apparatus is deposited at the Colonial Secretary's Office.

*Directions for applying the Flashing Test.*

1. The test apparatus is to be placed for use in a position where it is not exposed to currents of air or draughts.

2. The heating vessel or water bath is filled by pouring water into the funnel until it begins to flow out of the spout of the vessel. The temperature of the water at the commencement of the test is to be 130 deg. Fah., and this is to be obtained in the first instance either by mixing hot and cold water in the bath or in a vessel from which the bath is filled until the thermometer which is provided for testing the temperature of the water gives the proper indication; or by heating the water with the spirit lamp, (which is attached to the stand of the apparatus), until the required temperature is indicated. If the water has been heated too highly it is easily reduced to 130 deg. by pouring in cold water little by little, (to replace a portion of the warm water), until the thermometer gives the proper reading. When a test has been completed this water bath is again raised to 130 deg. by placing the lamp underneath, and the result is readily obtained whilst the petroleum cup is being emptied cooled, and refilled with a fresh sample to



## LAWS OF BARBADOS

be tested. The lamp is then turned on its swivel from under the apparatus and the next test is proceeded with.

3. The test lamp is prepared for use by fitting it with a piece of flat plaited candle wick and filling it with colza or rape oil up to the lower edge of the spout or wick tube. The lamp is trimmed so that when lighted it gives a flame of about 0.5 in. diameter, and this size of flame which is represented by the projecting white bead on the cover of the oil cup is readily maintained by simple manipulation from time to time with a small wire trimmer. When gas is available it may be conveniently used in place of the little oil lamp and for this purpose a test flame arrangement for use with gas may be substituted for the lamp.

4. The bath having been raised to the proper temperature, the oil to be tested is introduced into the petroleum cup, being poured in slowly. In pouring the oil to be tested great care should be taken not to splash it against the sides of the cup, until the level of the liquid just reaches the point of the gauge which is fixed in the cup. In warm weather the temperature of the room in which the samples to be tested have been kept should be observed in the first instance and if it exceeds 66 deg. the samples to be tested should be cooled down (to about 68) by immersing the bottles containing them in cold water, or by any other convenient method. The lid of the cup with the slide closed is then put on and the cup is placed on the bath or heating vessel. The thermometer in the lid of the cup has been adjusted so as to have its bulb just immersed in the liquid, and its position is not under any circumstances to be altered.


## SESSION OF 1881-'82.

When the cup has been placed in the proper position the scale of the thermometer faces the operator.

5. The test lamp is then placed in position upon the lid of the cup. The lead line or pendulum which has been fixed in a convenient place in front of the operator is set in motion, and the rise of the thermometer in the petroleum cup is watched. When the temperature has reached about 66 deg. the operation of testing is to be commenced, the test flame being applied once for every rise of one degree in the following manner;

The slide is slowly drawn open whilst the pendulum performs three oscillations and is closed during the fourth oscillation. If it is desired to employ the test apparatus to determine the flashing points of oils of very low volatility, the mode of proceeding is to be modified as follows;

The air chamber which surrounds the cup is filled with cold water to the depth of  $1\frac{1}{2}$  inches and the heating vessel or water bath is filled as usual, but also with cold water. The lamp is then placed under the apparatus and kept there during the entire operation. If a very heavy oil is being dealt with the operation may be commenced with water previously heated to 120 deg, instead with cold water.





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## SESSION OF 1881-'82.

## CAP. XXXIII.

(Assented to 30th March, 1882.)

## BARRADOS.

*An Act to amend the law relating to the admission of attorneys, solicitors and proctors to practise in the courts of this Island, and to make certain provisions with respect to their status thereafter.*

**W**HEREAS it is expedient to provide that persons desirous of becoming attorneys, solicitors, and proctors should first serve for a certain period of time under articles, and should also pass certain qualifying examinations before being admitted to practise as attorneys, solicitors, and proctors in the courts of this Island; And Whereas it is also expedient to provide that practising attorneys, solicitors, and proctors should take out annual certificates; Be it therefore enacted by the Governor, Council, and Assembly of this Island, and by the authority of the same, as follows;

Preamble.

*Preliminary provisions.*

I. This Act may be cited for all purposes as "The Solicitors' Act, 1882." Title of Act

II. In this Act unless the context otherwise require; Interpretation clause.

The expression "articled clerk" means a person bound under articles of clerkship to a practising attorney, solicitor, or proctor or under pupillage to a practising barrister, as in this Act provided;

The expression "solicitor" means a person admitted and entitled to practise in the several courts of this Island as an attorney, solicitor, or proctor, and actually practising therein;

The expression "the registrar" means the Prothonotary of the Court of Common Pleas, or his lawful deputy;

## LAWS OF BARBADOS.

The expression "the preliminary examination" means an examination in general knowledge of persons desirous of becoming articulated clerks ;

The expression "the intermediate examination" means an examination of articulated clerks, held in order to ascertain the progress made by such articulated clerks during their articles in acquiring the knowledge necessary to render them fit and capable to act as solicitors ;

The expression "the final examination" means an examination of persons applying to be admitted as solicitors, as well touching the articles and service as the fitness and capacity of such persons to act as solicitors in all business and matters usually transacted by solicitors, and includes, where any allegation is made by the registrar or any other person as to the moral unfitness of any such person to be an officer of the superior courts, an enquiry into the truth of such allegation.

Qualification for admission.

III. Subject to the exemptions, exceptions, and qualifications hereinafter contained, no person shall, after the passing of this Act, be entitled to be admitted as a solicitor who has not passed the preliminary examination, the intermediate examination, and the final examination, and has not served as an articulated clerk for five years.

Registrar to prepare List of Solicitors.

List submitted to Chief Justice.

IV. Immediately on the passing of this Act, the registrar shall prepare a list of all persons then entitled to practise as solicitors in this Island, according to the dates upon which they respectively were admitted to practise. The list when prepared shall be submitted by the registrar to the Chief Justice, and when settled and approved by him, shall be entered by the registrar in a suitable book of record to be kept in his

## SESSION OF 1881-'82.

office and to be called the solicitors' rolls. Solicitors to be entered on Rolls.  
 The name of every solicitor thereafter admitted shall be at once entered by the registrar in the said rolls, together with the date of his admission.

Every officer of any court and every barrister or solicitor may inspect the rolls without fee, and every other person on payment of a fee of one shilling. Who may inspect Rolls.

V. Every person duly admitted and at the time being entitled to practise as a solicitor or writer to the signet in Great Britain or Ireland shall, on satisfying the Chief Justice to that effect, be entitled on the direction of the Chief Justice to have his name inserted in the solicitors' rolls, together with the date of his admission in this Island, and thereafter shall be competent to practise in the courts of this Island in as full and ample a manner as any solicitor admitted in this Island before or after the passing of this Act. Solicitor or Writer to the Signet in Great Britain or Ireland to be placed on Rolls

VI. Except as hereinafter provided, the provisions of this Act respecting service under articles and examination shall not affect or relate to any persons who may be bona fide entered as clerks to practising solicitors before the first day of January one thousand eight hundred and eighty two, but all such persons shall be entitled to be admitted as solicitors, and when admitted to have their names inserted in the solicitors' rolls in the same manner in all respects as if this Act had not passed, save and except that all the provisions in this Act contained or in any regulation made thereunder for shortening the term of service as clerks shall extend to them in the same manner as if they had been articled clerks under this Act. Exceptions as to Articled Clerks.



## LAWS OF BARBADOS.

Clerks having to undergo three years service, to pass final examination.

Every clerk serving or who has served with a barrister or solicitor and who at the time of the passing of this Act has to undergo three years further service before he is entitled to be admitted shall be required to pass the final examination.

*Preliminary, intermediate, and final examinations.*

By whom regulations as to examinations made.

VII. Subject to the provisions hereinafter contained, the Attorney General, the Solicitor General, the Queen's Solicitor for the time being, and a solicitor to be appointed as occasion may require by the Chief Justice, or any two of them, shall have power from time to time to make regulations with respect to the preliminary examination, the intermediate examination and the final examination and with respect to all or any of the following matters relating thereto, that is to say ;

Matters relating thereto.

1. With respect to the subjects and books for and the mode of conducting the examination of candidates ;
2. With respect to the times and places of examinations and the notices of examinations ;
3. With respect to the certificates to be given to persons of their having passed any examination ;
4. With respect to the appointment or removal of examiners ;
5. With respect to the fees to be paid by candidates, and
6. With respect to all other matters or things whatsoever relating to the examinations, as to which they may think it expedient to make regulations.

## SESSION OF 1881-'82.

VIII. The following provisions shall have effect with respect to the preliminary examination, the intermediate examination, and the final examination, and with respect to each and every of them ;

- |   |  |
|---|--|
| 1. The examination shall be held, if there be any persons offering themselves as candidates, not less than twice nor more than three times in the year.   | Provisions as to examinations.<br><br>When to be held.               |
| 2. The examination shall be conducted by means of papers of questions and <i>viva voce</i> .  | How conducted.   |
| 3. There shall be not less than two examiners, and in the cases of the intermediate examination and the final examination one of the examiners shall, if possible, be a practising barrister, and another shall be a practising solicitor.  | Number of examiners, when one to be a Barrister and one a Solicitor. |
| 4. No candidate shall be entitled to a certificate that he has passed the examination unless he shall have gained at least one third of the total number of marks.  | Number of marks for certificate.                                     |
| 5. In case of any difference of opinion between the examiners on the question whether a candidate is entitled to a certificate that he has passed the examination or that he has passed a distinguished examination, either or any examiner may refer the matter to the Chief Justice, whose decision shall be final. | In case of a difference between examiners.                           |
| 6. The Chief Justice and the Attorney General shall severally have the right of being present at the examination and of perusing the papers of questions and answers.   | Rights of Chief Justice and Attorney General.                        |

## LAWS OF BARBADOS.

**Distinguished  
examinations.**

7. In case any candidate at the preliminary examination shall pass a distinguished examination, the examiners shall award him a certificate to that effect, and in case any candidate shall pass a distinguished examination at the intermediate examination or at the final examination, the Chief Justice shall have power, on receiving the certificate of the examiners to that effect, to award such candidate a prize of law books not exceeding in value the sum of three guineas.

**Names of candidates  
passed to be pub-  
lished in Official  
Gazette.**

8. The names of all candidates who shall have received certificates that they have passed the examination, together with the number of marks obtained by them severally, shall be transmitted by the examiners to the Chief Justice and immediately thereafter shall be published by the registrar in the Official Gazette in the order in which they have passed.

**Fee for examination.**

9. No candidate shall be required to pay a greater fee than two guineas for the examination.

**Certificate of  
examination to be  
entered in Articled  
Clerk's Book.**

IX. On any person producing to the registrar a certificate that he has passed the preliminary examination, the registrar shall enter the name of such person, together with the date of the certificate, in a suitable book of record to be kept in his office and to be called the articled clerks' book. Every officer of any court and every barrister, solicitor or articled clerk may inspect the articled clerks' book without fee and every other person on payment of a fee of one shilling.

**Who may inspect  
books.**

## SESSION OF 1881-'82.

X. A certificate of having passed a preliminary examination under this Act shall not be required from any person who has taken the degree of Bachelor of Arts or Bachelor of Laws in the Universities of Oxford, Cambridge, Dublin, Durham, or London, or in the Queen's University in Ireland, or the degree of Bachelor of Arts, Master of Arts, Bachelor of Laws, or Doctor of Laws in any of the Universities of Scotland, (none of such degrees being honorary degrees), or who has been called to the Bar in England or Ireland, or been admitted as an Advocate in Scotland, or who has passed the first public examination before Moderators at Oxford, or the previous examination at Cambridge, or the examination in Arts for the second year at Durham, or who has passed one of the local examinations established by the University of Oxford, or one of the non-gremial examinations established by the University of Cambridge, or one of the examinations of the Oxford and Cambridge Schools Examination Board, or one of the matriculation examinations at the Universities of Dublin or London, (notwithstanding he may not have been placed in the first division of such matriculation examination), or the examination for the first class certificate of the College of Preceptors incorporated by Royal Charter in the year one thousand eight hundred and forty nine. The persons charged with the making of regulations under section seven, or any two of them, may from time to time make regulations extending the above exemptions to any persons who pass any examination held in any of the abovementioned Universities, or in the Owen's College, Manchester, or in connexion with any other University, Col-

Who exempted  
from preliminary  
examination.

Extending exemp-  
tions.

## LAWS OF BARBADOS.

**Names of persons so as above exempted to be inserted in Articled Clerk's Book.**

lege, or educational institution, and specified in that behalf in the said regulations.

**XI.** Any person satisfying the Chief Justice that he is qualified in any of the ways mentioned in the last preceding section or in the regulations to be made thereunder, shall on the direction of the Chief Justice be entitled to have his name, together with his qualification, inserted by the registrar in the articled clerks' book, and shall be entitled to the same rights and privileges as if he had passed the preliminary examination.

**Who may enter into Articles of Clerkship.**

**XII.** Every person whose name has been entered by the registrar in the articled clerks' book, shall be entitled to enter into articles of clerkship to any practising solicitor, and no other person shall be so entitled.

**Form of articles to be approved by Chief Justice.**

**XIII.** The Chief Justice may from time to time approve a form of articles of clerkship, and such form when so approved shall be lodged in the registrar's office and shall in all cases be used by solicitors when taking persons to serve as their articled clerks.

**Articles to be shewn to Registrar.**

**XIV.** As soon as any person has become duly bound under articles of clerkship to a solicitor, he shall exhibit the said articles or cause them to be exhibited to the registrar, who shall thereupon enter in the articled clerks' book against the name of such person the date when such articles were exhibited and the name of the solicitor to whom such person became bound, and the period of such person's service under articles of clerkship shall be deemed to commence at the date of such entry being made. The registrar shall also mark such articles as having been so exhibited

**Registrar to note same in Articled Clerk's Book.**

## SESSION OF 1881-'82.

and entered together with the date thereof.

XV. Any articulated clerk may complete his period of service under one or more solicitors, provided that on leaving any solicitor to whom he was bound in articles and becoming bound to another solicitor, he shall in every case execute fresh articles of clerkship, and shall exhibit the same to the registrar who shall thereupon make an entry of a similar purport as is hereinbefore provided in the articulated clerks' book, and shall also mark the articles in the manner hereinbefore mentioned; provided that before such entry shall be made, such articulated clerk shall satisfy the registrar as to the date when his service ceased under his former articles, and the registrar shall make an entry of such date against the entry respecting the former articles.

Articled Clerk may complete service under one or more Solicitors.

XVI. If any articulated clerk shall intermit at any one time more than two years in his service under articles of clerkship, his service under articles shall commence again *de novo* in all respects, except that he shall not be required to have his name entered afresh in the articulated clerks' book as being entitled to enter into articles of clerkship.

Articled Clerk intermitting more than two years to commence *de novo*

XVII. Any articulated clerk may serve a portion of his period of service, not exceeding twelve months in the whole, with any practising barrister or barristers, and it shall not be necessary in such case for him to become bound in articles of clerkship. In lieu of exhibiting to the registrar articles of clerkship, he shall in every such case exhibit to him the certificate of such practising barrister to the effect that such articulated clerk has become the pupil of such practising barrister, and the registrar shall make an entry in accordance therewith in the articulated clerks' book.

Articled Clerk serving in part with practising Barrister to exhibit to Registrar certificate of such service.

## LAWS OF BARBADOS

Meaning of "Solicitor" and "Practising Solicitor."

For the purposes of this section the word "solicitor" or the words "practising solicitor" occurring in the sections of this Act, relating to service under articles shall be taken to include a practising barrister, and the words articles of clerkship occurring in the same sections shall be taken to include the certificate in this section mentioned.

When Articled Clerk eligible for intermediate examination.

XVIII. No articled clerk shall be eligible as a candidate for the intermediate examination who shall not have served at least two years under articles of clerkship, and the examiners shall satisfy themselves by inspection of the articled clerks' book that each candidate has fulfilled this condition, and, if they think fit, they may call on any candidate to produce to them satisfactory proof of the duration of his service under articles.

Exemption from intermediate examination.

XIX. Any person who shall satisfy the Chief Justice that he has passed the intermediate examination appointed for articled clerks in England, or that he has been called to the Bar in England or Ireland, or has been admitted as an Advocate in Scotland, and has procured himself to be disbarred with the view of becoming a solicitor, shall not be required to obtain a certificate of having passed an intermediate examination under this Act, but shall be entitled on the direction of the Chief Justice to be admitted as a candidate at the final examination in the same manner as if he had passed the intermediate examination.

Articled Clerk ineligible for intermediate after five years from date of preliminary examination.

XX. No articled clerk shall be eligible for the intermediate examination after a period of five years has elapsed from the date at which he passed the preliminary examination, but any such articled clerk may, if he think fit, again pass the preliminary examination, and so proceed in due course to the intermediate examination, being again subject, however,

## SESSION OF 1881-'82.

to the provisions of this section; provided always that the Chief Justice may, under exceptional circumstances, grant to any articulated clerk a dispensation from the operation of this section, but not for a longer period than one additional year.

Chief Justice may grant dispensation.

XXI. On any articulated clerk producing to the registrar a certificate that he has passed the intermediate examination, the registrar shall enter the name of such person, together with the date of the certificate, in the articulated clerks' book.

Registrar to enter certificate of intermediate examinations.

XXII. An interval of eighteen months at least shall elapse in the case of each articulated clerk between the date of the intermediate examination and that of the final examination, and no articulated clerk shall be eligible as a candidate for the final examination after a period of nine years has elapsed from the date at which he passed the preliminary examination, but any such articulated clerk may, if he think fit, again pass the preliminary examination, and so proceed to the intermediate and final examination, subject to the provisions of this section.

Interval between intermediate and final examination.

between final and preliminary examination.

XXIII. On any articulated clerk producing to the registrar a certificate that he has passed the final examination, the registrar shall enter the name of such person, together with the date of the certificate, in the articulated clerks' book, and every such person shall, subject to the provisions hereinafter contained, be entitled to be admitted and enrolled as a solicitor.

On certificate of final examination to be enrolled as a Solicitor.

XXIV. The persons charged with the making of regulations under section seven or any two of them, may from time to time make regulations directing that any person who has passed any examination held in the Universities of Oxford, Cambridge, Dublin,

Persons making regulations under Section seven or any two of them may make regulations under this section.



## LAWS OF BARBADOS.

Durham, or London, or in the Queen's University in Ireland, or in any of the Universities in Scotland, or in the Queen's College, Manchester, or in any other University, College, or educational institution, and specified in that behalf in such regulation may, after compliance with the other provisions of this Act, be admitted and enrolled as a solicitor after service under articles of clerkship for the term of four years, but not so as to allow in any case a less term of service than four years.

When English Barrister or Scotch Advocate may be enrolled as a Solicitor.

Any person who shall satisfy the Chief Justice that he has been called to the Bar in England or Ireland, or has been admitted as an Advocate in Scotland, and has procured himself to be disbarred with the view of becoming a solicitor, may in like manner be admitted and enrolled after passing the final examination provided for by this Act.

*Admission and status of solicitors.*

Requirements for enrollment.

XXV. Every person who shall have entitled himself under the provisions of this Act to be admitted and enrolled as a solicitor shall, before he shall be so admitted and enrolled, prove by the written declaration of himself and the solicitor or solicitors and barrister or barristers under whom he has served, to be duly made and filed with the registrar, that he has actually and really served and been employed by such solicitor or solicitors and barrister or barristers during the whole time and in the manner required by this Act.

Chief Justice on being satisfied to admit Solicitor.

XXVI. The Chief Justice shall, before he shall admit any person to be a solicitor, inquire whether such person has complied with the provisions of this Act, and if the Chief Justice shall be satisfied that such person

## SESSION OF 1881-'82.

has complied with the provisions of this Act, and if no charge of moral unfitness shall be made against such person, he shall then and not otherwise administer or cause to be administered to such person the oath or affirmation hereinafter directed to be taken or made by solicitors, in addition to the oath of allegiance, and after the taking of such oaths or affirmation shall cause him to be admitted as a solicitor and his name to be enrolled in the solicitors' rolls.

The form of admission and enrolment shall be proposed by the registrar and signed by the Chief Justice. Admission and enrolment.

If any charge of moral unfitness shall be made against any such person by the registrar or any other person, the Chief Justice shall cause the same to be investigated, and thereafter shall make such order in the matter as he shall think just. Moral unfitness of candidate.

XXVII. Every person who shall in pursuance of this Act apply to be admitted as a solicitor shall, on his being admitted and enrolled as aforesaid, take the following oath or affirmation; Oath to be taken.

I, A. B., do swear (or solemnly affirm, as the case may be) that I will truly and honestly demean myself in the practice of a solicitor according to the best of my knowledge and ability: So help me God. Form of Oath.

XXVIII. From and after the passing of this Act every person who shall be duly qualified to practise as a solicitor in this Island and shall desire to do so, shall in the month of January in every year cause his name to be entered by the registrar in the solicitors' rolls, and shall obtain from the registrar a certificate of such registration on payment of a fee of ten shillings; Solicitors to register annually in January. Proviso for registering after January.

## LAWS OF BARBADOS.

Proviso in event of two years elapsing without registering.

provided always that if any such person shall desire to have his name registered after the month of January shall have elapsed, he shall pay a fee of twenty shillings for such entry and the certificate thereof; provided also that if any such person shall allow an interval of two years to elapse from the time his name was last registered, he shall pay a fee of three pounds, and if an interval of five years shall have been allowed to elapse, such person shall not then be entitled to registration except by special permission of the Court of Common Pleas and on payment of a fee of five pounds.

Registrar refusing to register.

In case the registrar shall refuse to make the entry or to issue the certificate as aforesaid the person aggrieved by such refusal or his attorney or agent may make application to the Chief Justice in chambers who shall make such order as may be just, and may also direct the costs of such application to be borne and paid by either party.

Register to be published in "Official Gazette."

XXIX. The registrar shall cause to be published in the first number of the Official Gazette which shall issue in the month of February in every year, an alphabetical list of persons who have registered their names as solicitors at that time, and he shall also cause to be published in the first number of the Official Gazette which shall issue after any such registration, the name of any person registering his name after the month of January shall have elapsed.

No person to practise as a Solicitor unless registered.

XXX. No person shall practise or conduct any business whatsoever as a solicitor in any year unless such person shall have first registered his name and taken out such certificate as required by this Act; provided that every person who shall have been so registered and shall have obtained such certificate in any year shall be entitled to prac-

## SESSION OF 1881-'82.

tise during the said year and also during the month of January in the ensuing year.

XXXI. All Judges, Justices, and other persons concerned shall take notice of the publication of the names of registered solicitors in the Official Gazette.

Judges and others to notice publication of Solicitors.

XXXII. So far as they are relevant to the circumstances of this Island, the Chief Justice shall have and exercise all and every the powers possessed by the High court of Justice or any other court in England for the punishment of solicitors, whether practising or otherwise, who may be guilty of improper conduct.

Powers of Chief Justice for punishment of Solicitors.

*Miscellaneous provisions.*

XXXIII. The persons charged with the making of regulations under section seven, or any two of them, may from time to time make general regulations for the better carrying into effect the purposes of this Act, provided that no such regulations shall be inconsistent with this Act.

Persons making regulations under section seven or any two of them, may make general regulations.

Any regulation made under the authority of this Act may be altered or revoked by a subsequent regulation.

Altering or revoking

All such regulations when made shall be transmitted to the Chief Justice, who shall have power either to approve or disallow the same or to refer them back for amendment or alteration, and when such regulations shall have been approved by the Chief Justice, they shall be filed with the registrar and shall be published in the Official Gazette, and thereafter shall be binding on all parties concerned.

Regulations transmitted to Chief Justice for approval.

XXXIV. The Governor may at any time, with the approval of the Chief Justice, enter into an arrangement with the Incorporated Law Society of England to conduct either the intermediate or the final examination, or

Incorporated Law Society of England may conduct intermediate or final examination.

## LAWS OF BARBADOS.

both, of articulated clerks in this Colony, and may do all things necessary to carry out such an arrangement, subject to such regulations in that behalf as may be made by the persons charged with the making of regulations under section seven, or any two of them.

In any such event so much of this Act as is inconsistent with the carrying into effect of any such arrangement shall stand repealed.

List of Clerks  
serving.

XXXV. Immediately on the passing of this Act the registrar shall prepare a list of all persons who may then be serving as clerks to barristers or solicitors, setting forth the dates of their entry, the periods of their actual service and the names of the barristers or solicitors under whom they have served.

Number of articulated  
clerks allowed.

XXXVI. No barrister shall have more than one and no solicitor shall have more than two articulated clerks at one and the same time, and no barrister or solicitor shall take, have or retain, any articulated clerk after he shall have discontinued practising as or carrying on the business of a barrister or solicitor nor whilst he shall be employed or retained as a writer or clerk by any other barrister or solicitor, and service under articles to a barrister or solicitor in either of these two cases shall not be deemed good service for the purposes of this Act.

Construction of en-  
actments.

XXXVII. All enactments referring to attorneys or proctors which are in force immediately after the coming into operation of this Act shall be construed as if the expression "solicitor" as defined by this Act were therein substituted for the expression "attorney" or "proctor."

## SESSION OF 1881-'82.

**XXXVIII.** Whenever the solicitor of any person who is party to any action, suit, or trial, civil or criminal, in any of the courts of this Island in which barristers only are entitled to audience, shall satisfy the Judge of such court that his client is unable to obtain the assistance of Counsel, it shall be lawful for the said Judge, and he is hereby authorized, to grant permission to such solicitor to appear and sit and conduct the case in the same manner, to all intents and purposes, as if he were a barrister, and such solicitor shall *pro hac vice* enjoy all the rights and privileges which appertain to, and be subject to all the rules and regulations which govern members of the bar.

When Solicitors may appear as Counsel.

**XXXIX.** No person shall be entitled to sue for or recover in any court whatever any fee or reward for the drawing or preparing of any conveyance or deed of or relating to any real or personal estate, unless at the time when such conveyance or deed was drawn or prepared such person was a solicitor registered under the provisions of this Act; provided that nothing in this section contained shall affect the rights of the executor or administrator of any registered solicitor,

No fee recoverable unless Solicitor registered.

**XI.** In every case in which a solicitor shall be employed to prosecute or defend any suit, matter, or proceeding in any court of Justice, it shall be lawful for the court or Judge before whom any such suit, matter, or proceeding has been heard, or shall be depending, to declare such solicitor entitled to a charge upon the property recovered or preserved, and upon such declaration being made, such solicitor shall have a charge upon and against, and a right to payment out of the property of whatsoever

Solicitors' charges a lien on property recovered or preserved

## LAWS OF BARBADOS.

nature, tenure, or kind the same may be, which shall have been recovered or preserved through the instrumentality of any such solicitor, for the taxed costs, charges, and expenses of or in reference to such suit, matter, or proceeding, and it shall be lawful for such court or Judge to make such order or orders for taxation of and for raising and payment of such costs, charges, and expenses out of the said property as to such court or Judge shall appear just and proper and all conveyances and acts done to defeat, or which shall operate to defeat such charge or right, shall unless made to a *bona fide* purchaser for value without notice, be absolutely void and of no effect as against such charge or right; provided always that no such order shall be made by any such court or Judge, in any case in which the right to reserve payment of such costs, charges, and expenses is barred by any statute of limitation.

Proviso where Solicitors costs are barred by the Statute

Solicitor's charges where person is lunatic, idiot, or of unsound mind.

XLI. In every case in which a solicitor has been or shall be employed to prosecute or oppose any enquiry, whether a person is a lunatic, idiot, or of unsound mind, and incapable of managing himself or his affairs, or in or about any proceedings consequent upon such enquiry, and the costs of such solicitor have not been paid in the lifetime of such person, it shall be lawful for the Vice Chancellor, or other the person or persons entrusted with the care and commitment of the custody of the persons and estates of persons found idiot, lunatic, or of unsound mind, to make such and the like orders, and to exercise the like power and authority for taxation of and for raising and payment of such costs after the death of such person as could or might have been exercised or made in his lifetime; and

## SESSION OF 1881-'82.

such orders and proceedings shall be as valid and effective to all intents and purposes as if made in the lifetime of the lunatic; provided always that it shall not be lawful for the court or Judge to make any such order, but within six years next after the right to recover such costs, charges, and expenses shall have accrued.

Proviso.

XLII. The Judges of the Assistant Court of Appeal, the Judges of the Petty Debt Courts, the Police Magistrates, the Master in Chancery, the Clerk of the Court of Common Pleas and the registrar in Chancery respectively, shall not practise or conduct any business whatsoever as a solicitor in any of the courts of this Island.

Who not entitled to practice.

XLIII. For his services under this Act the Registrar shall receive an annual salary of fifteen pounds payable monthly from the Public Treasury on the warrant of the Governor in Council.

Salary of Registrar

XLIV. The fees payable to examiners and the expenses of prizes and of carrying out the provisions of this Act shall be certified by the registrar and shall be borne and paid by the Public Treasury on the warrant of the Governor in Council.

Fees to Examiners, how certified and paid.

XLV. All fees received under the authority of this Act or any regulations to be made thereunder shall be paid into the Public Treasury. It shall however be lawful for the Governor at any time to direct that all or any of such fees shall be paid by means of stamps of such kind as shall be specified, and to require all things necessary in that behalf to be done.

Fees payable into Treasury.

Fees paid by stamps

XLVI. The Acts mentioned in the schedule to this Act are hereby repealed to the extent specified in the third column

Acts repealed.



**LAWS OF BARBADOS.**

of the schedule ; provided always that this repeal shall not affect :

**Not to affect.**

(1.) Anything duly done or suffered under any enactment hereby repealed ; or

**Not to affect.**

(2) Any right, liability or penalty acquired, accrued, or incurred under any enactment hereby repealed, or any legal proceeding or remedy in respect of any such right, liability or penalty, and any such legal proceeding and remedy may be carried on as if this Act had not been passed.

✓

No. and Date of Act.	nt of Repeal.
✓ No. 12.—4th August 1691.	An Act for prol mon Pleas wit courts where sole. ✓
✓ No. 56—15th September 1819.	An Act to repea centiate lawye also for the b of solicitors, Island ..... 3. ✓
✓ No. 182—16th October 1846.	An Act to alter peal an Act barristers in t the laws as t proctors to prehole. ✓
✓ No. 346—28th March 1860.	An Act to authc tain cases .....hole.

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